

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 2 AUGUST 1956

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THURSDAY, 2 AUGUST, 1956.

Mr. SPEAKER (Hon. J. H. Mann, Brisbane) took the chair at 11 a.m.

MEMBERS SWORN.

Mr. J. BURROWS AND MR. T. F. PLUNKETT.

Mr. James Burrows and Mr. Thomas Flood Plunkett, having taken the oath of allegiance and subscribed the roll, took their seats as members for the electoral districts of Port Curtis and Darlington respectively.

QUESTIONS.

PAYMENTS FROM COMMONWEALTH GOVERNMENT.

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

“What payments were received from the Commonwealth Government for 1955-1956, showing headings and amounts respectively?”

Hon. E. J. WALSH (Bundaberg) replied—

“The information is being prepared.”

TRUST FUND BALANCES.

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

“What was the balance at 30 June, 1956, of each of the following funds, respectively, viz.:—(a) Loan; (b) Commonwealth Aid, Local Authority Roads; (c) Main Roads; (d) Port Development; (e) Post-war Reconstruction and Development; (f) All funds (Cash Balance)?”

Hon. E. J. WALSH (Bundaberg) replied—

“(a) to (f). The total cash balance of all Funds at 30 June, 1956, was £5,572,478. Details of the balances in the respective Funds will be shown in the Financial Tables which will be presented to the House in due course.”

BORDER RIVERS SCHEME.

Mr. NICKLIN (Landsborough—Leader of the Opposition) asked the Secretary for Public Lands and Irrigation—

“In reference to the Border Rivers Scheme under the authority of ‘The New South Wales-Queensland Border Rivers Act of 1946’—

1. What is the expenditure to date on the Bonshaw Weir?

2. What is the total estimated cost of that weir to completion including all repairs and alterations?

3. Are any other weirs to be constructed other than the Bonshaw and Cunningham Weirs?

4. What is the total amount of Queensland's contribution to date?”

Hon. P. J. R. HILTON (Carnarvon) replied—

“1. The expenditure to date on Bonshaw Weir is £176,363.

“2. On the recommendation in June, 1956, of the Border Rivers Commission that restoration of storage following damage in record floods in January-February, 1956, was essential, the two State Governments approved additional construction work, which is estimated to bring the total cost to £267,000.

“3. The Border Rivers Commission has approved the investigation and design of the following additional works at this stage—Glenarvon Weir at approximately 35.6 miles on Dumaresq River; Boomi Weir at approximately 91 M. on Macintyre River; Regulator on Boomi River outlet.

“4. The total amount of Queensland's contribution to date to works of the Border Rivers Commission, including investigation of Mingoola and alternative dam sites is £255,798.”

SCHOOL CLASSES, METROPOLITAN AREA.

Mr. MORRIS (Mt. Coot-tha) asked the Secretary for Public Instruction—

“Will he please advise how many school classes in the metropolitan area, and under the control of one teacher, there were at the end of June, 1956, consisting of the following total pupils:—(a) 50, but under 60; (b) 60, but under 70; (c) 70, but under 80; (d) 80, but under 90; (e) 90, or over?”

Hon. L. F. DIPLOCK (Condamine) replied—

“A considerable amount of clerical work is entailed in the compilation of the information sought by the hon. member. If he will submit his question again in a week's time, I shall endeavour to have the information ready for him.”

RAIL FREIGHTS ON SUGAR AND CANE.

Mr. COBURN (Burdekin) asked the Minister for Transport—

“As the increased rail freights on cane and sugar are estimated to add £500,000 a year to the sugar industry's costs, of which £275,000 will result from the increased cane freights, and the presidents of the two sugar industry organisations have declared that this latest increase could drive certain of our sugar mills out of existence, will he, in the interests of sustaining settlement and promoting development in our State, reconsider the freights to be imposed on 1 August, 1956, for the purpose of relieving the industry of this crippling burden?”

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

“In deciding upon the increases in railway freights, careful consideration was given to the importance of the sugar industry to the State. Sugar cane had been carried at a very low rate under a special rating schedule and for distances up to 80 miles the freight on sugar cane had been below even the ‘manure’ freight rate, which was the lowest rating scale in the Schedule of General Scale of Rates for Goods Traffic. The shortest distance rate for manure in 1954-1955 was 12s. 2d. per ton, whereas the distance rate for sugar cane was only 5s. 10d. per ton, and the average rate received for the carriage of all cane over all distances during that year was only 11s. 1d. per ton. The sugar industry receives special consideration from the Railway Department in the allocation of locomotive power and wagons during the cane season, to ensure that transport is available for the movement of cane to the mills and of sugar for shipment. The sugar cane season is a concentrated one and involves the setting apart of a large number of wagons and locomotives to deal with it. This demand coincides with the busiest part of the year, but the supply of wagons for the carriage of cane is assured and very often the withdrawal of the thousands of wagons required for the sugar cane traffic results in the needs of other industries—many of which offer traffic at higher freight rates than that charged on cane—not being fully met. The handling of sugar cane traffic necessitates the wagons returning empty from the mills to the cane loading sidings and the continuance of such low freight rates cannot be justified. Although on a percentage basis the increase in sugar cane rates might appear to be high, the freight will still not be greater, and for some mileages will be less than that charged on low-freighted commodities, such as ashes, bricks or sand, which are classified at ‘M’ class. The necessity for increasing the rates on sugar cane is regretted, but it is inescapable that the rates on low-rated classes of traffic be substantially increased.”

**STOCK DISEASES COMPENSATION FUND,
RECEIPTS AND EXPENDITURE, 1955-1956.**

Mr. MULLER (Fassifern) asked the Secretary for Agriculture and Stock—

“What are the following details of the Stock Diseases Compensation Fund for 1955-1956, viz.—(a) assessments; (b) endowment; (c) total receipts; (d) compensation; (e) testing fees; and (f) total expenditure?”

Hon. H. H. COLLINS (Tablelands)
replied—

“(a) £79,211 3s. 11d.; (b) £39,605 12s. 0d.; (c) £118,816 15s. 11d.; (d) £15,029 5s. 0d.; (e) £73,795 17s. 6d.; (f) £100,482 1s. 2d.”

**STOCK DISEASES (T.B.) COMPENSATION
FUND, CREDIT BALANCE.**

Mr. MULLER (Fassifern) asked the Secretary for Agriculture and Stock—

“What was the credit balance of the Stock Diseases (T.B.) Compensation Fund at 30 June, 1956?”

Hon. H. H. COLLINS (Tablelands)
replied—

“£90,363 17s. 0d.”

**LOCAL AUTHORITY VALUATIONS BY VALUER-
GENERAL.**

Mr. MULLER (Fassifern) asked the Secretary for Public Works, Housing and Immigration—

“With respect to valuations completed by the Valuer-General under the Valuation of Land Acts, will he kindly inform the House,—

1. The names of all local authority areas which have been so valued more than once;
2. The names of all other local authority areas which have been so valued once only;
3. The number of all other local authority areas which have yet to be valued?”

Hon. C. G. McCATHIE (Haghton)
replied—

“1. Albert; Beaudesert; Cambooya; Chinchilla; Clifton; Crows Nest; Dalby; Gatton; Gooburrum; Jondaryan; Kileoy; Kilkivan; Kolan; Millmerran; Mount Morgan; Murilla; Perry; Pittsworth; Redland; Rosalie; South Coast; Tara; Taroom; Thursday Island; Toowoomba; Wambo.

“2. Allora; Atherton; Banana; Biggenden; Boonah; Brisbane; Broadsound; Bundaberg; Burrum; Caboolture; Cairns; Calliope; Douglas; Duaringa; Eidsvold; Esk; Fitzroy; Gayndah; Gladstone; Gulgallan; Goondiwindi; Gympie; Ipswich; Isis; Johnstone; Kingaroy; Laidley; Landsborough; Livingstone; Maroochy; Maryborough; Miriam Vale; Monto; Moreton; Mulgrave; Munduberra; Murgon; Nanango; Nebo; Noosa; Peak Downs; Pine; Redcliffe; Rockhampton; Rosenthal; Stanthorpe; Tiaro; Widgee; Wondai; Woocoo; Woongarra.

“3. 57.”

**COST OF COUNSEL, ROYAL COMMISSION ON
CROWN LEASEHOLDS.**

Mr. HILEY (Coorparoo) asked the Premier—

“1. What commitments have been entered into by the Government for legal representation of any Minister, official, or person or any department in respect of the proceedings before the recent Royal Commission on land matters; or in any matter related thereto or connected therewith?”

"2. Will he indicate the person or department concerned, the nature of the commitment and an estimate of the cost thereof in each instance?"

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

"1. The only commitment entered into by the Government for legal representation before the recent Royal Commission on land matters or on any matter related thereto or connected therewith was in respect of Counsel who appeared for the Department of Public Lands.

"2. An estimate of the costs thereof is £3,675."

WOOL FOR CONSIGNMENT BY RAIL.

Mr. SPARKES (Aubigny) asked the Minister for Transport—

"With reference to wool already consigned to and accepted by the Railway Department and held up at various railway sidings throughout the State as a result of the current shearing dispute and the "black ban" applied by the railways unions, will he kindly advise what freight charges will be charged on such wool, that is, the charges prescribed at the time of its consignment and acceptance or the charges operating at the time of its removal?"

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

"The charges prescribed at the time it was consigned."

Mr. SPARKES (Aubigny) asked the Minister for Transport—

"With reference to wool which has been consigned and accepted by the Railway Department and has been moved from one station to another station where it has become held up as a result of the current shearing dispute and the "black ban" applied by the railways unions, will he advise if such wool will be returned on request, free of freight charges, to the place of consignment so that the owner can have such wool transported by other means?"

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

"There will be no objection to the consignors taking delivery of any wool now held up on railway trucks upon payment of freight to point to which carried but I am unable to undertake that such consignments will be returned to the sending stations."

LIQUIDATION OF PEAK DOWNS SCHEME.

Mr. SPARKES (Aubigny) asked the Premier—

"Will he kindly inform the House as to the progress made in the liquidation of the Peak Downs scheme?"

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

"Of the 729,817 acres originally owned by the Queensland-British Food Corporation, 295,803 acres have been sold by public auction or private treaty, and 188,324 acres have been balloted by the Department of Public Lands for closer settlement. Applications for ballot of an additional 164,384 acres at Peak Downs closed on 20 July last. The remaining 81,306 acres will be sold by public auction as grazing selections later in the year. In the meantime, the lands are being used for cattle fattening. The major portion of all agricultural machinery, motor vehicles, general plant, etc., has been sold by auction or private treaty. Agricultural operations at Peak Downs ceased in July, 1955. The headquarters there has since been closed and the employment of all personnel terminated."

DEPARTMENTAL REPORT ON RAILWAY FARES AND FREIGHTS.

Mr. CHALK (Lockyer) asked the Minister for Transport—

"In view of the decision of this Labour Government to increase railway fares and freights from 1 August, 1956, by varying percentages on various commodities, and as such involves the majority of the citizens of this State, will he lay on the table of this House for perusal by the elected representatives of the people, the lengthy report prepared for him by his departmental experts, so that all members of this Parliament will be able to judge whether his decision to increase the fares and freights was justifiable, or whether alternative steps could have been taken with a view to achieving the same overall financial result?"

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

"No."

CIVIL DEFENCE SCHOOL.

Mr. H. B. TAYLOR (Clayfield) asked the Premier—

"Following his announcement in "The Courier-Mail" on Saturday, 23 June, that three Queenslanders would be nominated to a school in Civil Defence, will he advise,—(a) Was this State represented at the Civil Defence School at Macedon, Victoria, on 2 July last? (b) If so, who were the three representatives? (c) Is it intended that the same personnel will be students in the three types of courses, namely, the indoctrination course, the study periods, and the section courses for the qualification of instructors? (d) Have any invitations been extended to competent persons to participate in any of these courses in a voluntary capacity?"

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

“(a) Yes, and the Government is arranging for Queensland to be represented at all courses at the Civil Defence School, extending over the period 2 July to 21 December, 1956. (b) To date, four courses have been held and the following personnel have attended:—Course 1,

Indoctrination—Mr. R. D. King-Scott, Engineer-in-Charge, Town Water Supply and Sewerage Branch, Local Government Department; Mr. F. Palethorpe, Inspector of Police; Mr. B. C. W. Fogg, Staff Officer, Public Service Commissioner's Department. Course 2, Indoctrination—Mr. F. B. Haigh, Commissioner of Irrigation and Water Supply; Mr. N. S. Madsen, Sub-Inspector of Police; Mr. G. Healy, Chief Officer, Metropolitan Fire Brigade, Brisbane. Course 3, Study Period—Dr. A. Fryberg, Director-General of Health and Medical Services; Dr. A. D. D. Pye, General Superintendent, Brisbane and South Coast Hospitals Board; Dr. K. B. Fraser, Visiting Senior Surgeon, Brisbane Children's Hospital. Course 4, Indoctrination—Mr. F. T. W. Warren, Designing Architect, Division I, Department of Public Works; Mr. G. W. Barlow, Deputy Engineer for Works, Brisbane City Council; Mr. T. Beech, Superintendent and Secretary, Brisbane Centre, Queensland Ambulance Transport Brigade. (c) and (d) As will be seen from the above, the personnel selected is not being confined to any particular group of persons. In addition to public servants in key positions and Police, future courses will be attended by representatives of newspapers, trade, commerce and industry, including the trade unions. The Government will be pleased to consider applications from suitable persons who are willing to offer their services in this connection.”

SHEARING INDUSTRY DISPUTE.

Mr. BJELKE-PETERSEN (Barambah) asked the Secretary for Labour and Industry—

“In view of the rampant lawlessness which has arisen out of the current shearing dispute and which has been evident for some time, being of such gravity that law-abiding citizens go continually in fear of bodily harm, will he give this House an explanation of the apparent lack of effective police action which has resulted in no prosecutions for assault or like offences and which has compelled residents and employees to form themselves into self-protective groups?”

Hon. A. JONES (Charters Towers) replied—

“The institution of prosecutions for assault are not the particular prerogative of individual members of the Police Force, and Police seldom institute such prosecutions. They do, however, assist citizens

to exercise their statutory rights to initiate criminal prosecutions for assaults committed against them, and have done so in specific instances in relation to the present dispute in the pastoral industry. The hon. member, in making his exaggerated claims, is obviously completely out of touch with the true position. In marked contrast to his claims, the Commissioner of Police has on his files eulogistic letters from prominent officials in the pastoral industry in relation to the practical assistance rendered by the Police in the present dispute. One of these letters is in fact from Mr. William A. Gunn, the President of the United Graziers' Association. I quote an extract from another letter from a prominent pastoral company, ‘It is very gratifying to know that in the present unfortunate circumstances the Police Department is able to render such first class service in the protection of property and you may be assured that the ready co-operation of the Force following our requests emphasises very clearly the efficiency with which the Department in this State is conducted.’ If the hon. member for Barambah will supply evidence of lack of effective Police action in any specific case, I will have the circumstances investigated.”

SCHOLARSHIP LIVING ALLOWANCES.

Mr. PIZZEY (Isis) asked the Secretary for Public Instruction—

“During the year ended 30 June, 1956, how many children received—(a) Living at home scholarship allowances; (b) Living away from home scholarship allowances?”

Hon. L. F. DIPLOCK (Condamine) replied—

“(a) 1,647; (b) 650.”

PUPILS IN STATE PRIMARY SCHOOLS.

Mr. PIZZEY (Isis) asked the Secretary for Public Instruction—

“What was the average number of pupils per teacher in State Primary schools in 1955?”

Hon. L. F. DIPLOCK (Condamine) replied—

“32.6.”

RAILWAY TRUCKS FOR TRANSPORT OF FERTILISER.

Mr. V. E. JONES (Callide) asked the Minister for Transport—

“In view of the acute shortage of fertiliser available to small-crop farmers in Central Queensland, with particular reference to the Gracemere district, which shortage has been occasioned by the scarcity of railway trucks, will he, keeping in mind the urgent need for fertiliser for spring and summer planting, immediately investigate the position with a view to

making a sufficient supply of railway trucks available for the transport of fertiliser to the areas affected?"

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

"Yes."

GOVERNMENT GRANT, CYCLONE "AGNES."

Mr. AIKENS (Mundingburra) asked the Premier—

"How much money did the State Government grant for the relief of distress and/or the repair of damage caused in North Queensland by Cyclone 'Agnes' in March this year, and in what amounts and to whom?"

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

"As soon as it was realised that damage would be caused by the cyclone in North Queensland, I immediately authorised the Stipendiary Magistrates in the centres likely to be affected to take steps to relieve all cases of personal hardship and distress. In addition, the Queensland Housing Commission and the Agricultural Bank were directed to deal expeditiously with applications for assistance received from people whose property was affected. An amount of £708 15s. 5d. was expended towards the relief of personal hardship and distress, of which £354 7s. 8d. was refunded by the Commonwealth Government. The Honourable Member will recall that in response to my strong representations for Commonwealth financial assistance to enable Local Authorities in the affected area to repair installations, roads, bridges, etc., which has been damaged, this so-called Commonwealth National Government, obviously with a view to creating the false impression that it was indeed concerned with the plight of these Local Authorities and wanted to assist them, made grandiose announcements that my Government had been asked for an investigation to be conducted into such damage and for a report in connection therewith to be forwarded to the Commonwealth Government in order that they might consider the question of assisting those Local Authorities. My Government was only too pleased to conduct this investigation and the Co-ordinator-General of Public Works was deputed to carry out the survey. A report was subsequently received from the Co-ordinator-General of Public Works which stated that whilst in some cases the damage sustained was what would reasonably be expected to be due to Queensland's normal monsoonal weather, in certain Local Authority areas, the damage suffered was abnormal and could be classified as having been caused by catastrophic circumstances equal to those which caused damage to Maitland and other parts of Northern New South Wales in 1955, when the Commonwealth Government made available the huge sum of £375,000 for the

relief of personal distress and £500,000 for grants to Local Authorities for the repairing of bridges, roads, etc. The Co-ordinator-General reported that he considered damage had been caused to the extent of £60,670 spread over certain Local Authority areas. These details were forwarded to the Commonwealth Government, but what happened? I received a reply from the Queenslander, Sir Arthur Fadden, the Acting Prime Minister, making boastful claims of how the Tory Commonwealth Government was sharing with my Government the cost of the relief of personal distress, but he steadfastly refused to grant assistance for the repair of damage, despite his Government's previously professed interest. Sir Arthur endeavoured 'to draw a red herring across the trail' by mentioning that this State will be receiving an increased allocation from petrol tax, following the iniquitous increases imposed under the Little Budget. Of course, this State will receive this additional money. My Government will see to that. For will it not be receiving what it is entitled to under this head? Are not the motorists of Queensland forced to pay this tax? This matter is highly irrelevant to the point at issue and I informed Sir Arthur accordingly in unmistakable terms. I also strongly protested to him against this discriminatory treatment of Queensland and stressed that the Commonwealth Government, when dealing with such matters, should adopt the principle of treating like with like and, therefore, should financially assist Queensland as requested. Sir Arthur Fadden, I regret to say, still refused to afford this, his native State, equitable treatment to that given New South Wales in 1955 when similar circumstances prevailed. One can, therefore, be pardoned for feeling that the much publicised concern of the present anti-Labor Commonwealth Government in this matter was pure hypocrisy and that never at any time did it contemplate granting financial assistance to Local Authorities in this State as was done in New South Wales. This attitude is, of course, consistent with that adopted in regard to approaches made by this State for financial assistance for developmental projects. When one recalls that in addition to the huge direct grants made to New South Wales as mentioned above, that State also received a special additional tax reimbursement of two million pounds (£2 million) for the repair of flood damage, one can only conclude that when linked with the callous treatment meted out to this State in the other directions referred to, this Tory Federal Government has little, if any, interest or concern in the welfare of Queensland. In view of the parsimonious policy of the Commonwealth in its handling of the Nation's finances, by which it builds up huge surpluses at the expense of the well-being of the people and the needs of the country, Queensland does not possess the financial

resources to meet the heavy demands of Local Authorities for assistance by direct grant to repair their losses. However, these Local Governing bodies are advised to make application for a loan to cover the cost of the repair work. Where damaged roads are rebuilt to a better standard and where bridges or other facilities are replaced by more modern or improved structures, application may be made to the Treasury for the payment of subsidy at the general works rate on some proportion of the value of the work involved in such rebuilding or replacement."

TRANSPORT OF PRODUCTS FROM MOUNT ISA AND MARY KATHLEEN.

Mr. AIKENS (Mundingburra) asked the Premier—

"1. Has his attention been drawn to a Press article in the Brisbane Telegraph of 31 July, wherein it was reported that the Honourable Members for Keppel and Rockhampton will ask the State Government to agree to the preposterous proposal propounded by the Federal Liberal member for Capricornia (Mr. Pearce), that the products from Mount Isa and Mary Kathleen, should be dragged an additional 400 or 500 miles to Port Alma and Gladstone instead of direct to the port of Townsville?

"2. If such a request has been made, will he inform the House of his Government's attitude on the matter?"

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

"1. No.

"2. No representations have as yet been made to me in this regard but, if and when they are made, these representations will receive the same full and careful consideration from my Government as is given to all representations made by hon. members on matters affecting their particular constituents."

PAPERS.

The following papers were laid on the table:—

Order in Council under the Labour and Industry Acts, 1946 to 1952.

By-laws Nos. 694 to 697 and 700 to 707 (inclusive) under the Railways Acts, 1914 to 1955.

Proclamations under the Valuation of Land Acts, 1944 to 1953.

Regulations under the Apprentices and Minors Acts, 1929 to 1954.

Orders in Council under the Apprentices and Minors Acts, 1929 to 1954.

Statutes under the University of Queensland Acts, 1909 to 1941.

Proclamation under the State Education Acts, 1875 to 1948.

SITTING DAYS.

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

"That, unless otherwise ordered, the House will meet for the dispatch of business at 11 o'clock a.m. on Tuesday, Wednesday, and Thursday in each week, and that on Tuesdays and Wednesdays, and after 2 o'clock p.m. on Thursdays, Government business shall take precedence of all other business."

Motion agreed to.

STANDING ORDERS COMMITTEE.

APPOINTMENT OF MEMBERS.

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

"That the Standing Orders Committee for the present session consist of the following members:—Mr. Speaker, Mr. Brosnan, Mr. Clark, Mr. Gair, Mr. Morris, Mr. Munro, and Mr. Nicklin."

Motion agreed to.

LIBRARY, REFRESHMENT ROOMS, AND PARLIAMENTARY BUILDINGS COMMITTEES.

APPOINTMENT OF MEMBERS.

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

"That the Library, Refreshment Rooms, and Parliamentary Buildings Committees for the present session be constituted as follows:—

Library:—Mr. Speaker, Mr. Donald, Mr. Dufficy, Mr. Keyatta, Mr. Morris, Mr. Pizzey, and Mr. H. B. Taylor.

Refreshment Rooms:—Mr. Speaker, Mr. Chalk, Mr. Heading, Mr. Martin, Mr. Plunkett, Mr. Rasey, and Mr. R. Taylor.

Parliamentary Buildings:—Mr. Speaker, Mr. Muller, Mr. Pizzey, Mr. Smith, Mr. Sparkes, Mr. Turner, and Mr. Walsh."

Motion agreed to.

PRINTING COMMITTEE.

APPOINTMENT OF MEMBERS.

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

"That a Select Committee be appointed to assist Mr. Speaker in all matters which relate to the printing to be executed by order of the House, and for the purpose of selecting and arranging for printing returns and papers presented in pursuance of motions made by members;

"That such Committee consist of the following members:—Mr. Speaker, Mr. Brown, Mr. Dewar, Mr. Fletcher, Mr. Graham, Mr. Low, and Mr. Moores."

Motion agreed to.

CHAIRMAN OF COMMITTEES.

APPOINTMENT OF MR. JAMES CLARK.

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

“That Mr. James Clark be appointed Chairman of Committees of the Whole House.”

Motion agreed to.

REVENUE AND EXPENDITURE,
RAILWAY DEPARTMENT.

ORDER FOR RETURN.

Mr. NICKLIN (Landsborough—Leader of the Opposition): I move—

“That there be laid on the table of the House a return showing (a) the revenue, and (b) the expenditure of the Railway Department for the Southern, Central and Northern Divisions of the State for the year 1955-1956.”

Motion agreed to.

MINISTERIAL EXPENSES.

ORDER FOR RETURN.

Mr. MORRIS (Mt. Coot-tha): I move—

“That there be laid on the table of the House a return, in the usual form, of expenses of Ministers for the year 1955-1956.”

Motion agreed to.

VOTING AT STATE ELECTIONS.

ORDER FOR RETURN.

Mr. SPARKES (Aubigny): I move—

“That there be laid on the table of the House a return, in the usual form, giving details of the voting at the last State elections.”

Motion agreed to.

GOVERNMENT EMPLOYEES.

ORDER FOR RETURN.

Mr. CHALK (Lockyer): I move—

“That there be laid on the table of the House a return, in the usual form, showing the number of Government employees at 30 June, 1939 and at 30 June, 1956 (all departments), paid from Consolidated Revenue, Trust Funds, and Loan Fund, respectively.”

Motion agreed to.

OVERTIME PAID IN GOVERNMENT
DEPARTMENTS.

ORDER FOR RETURN.

Mr. PIZZEY (Isis): I move—

“That there be laid upon the table of the House a return showing the amount of overtime paid in each Government Department (all funds) in 1955-1956.”

Motion agreed to.

MR. VIVIAN ROGERS CREIGHTON.

MOTION FOR REMOVAL FROM OFFICE.

Mr. SPEAKER: Before calling on the Secretary for Public Lands and Irrigation, Mr. Hilton, to move the motion standing in his name, I wish to inform hon. members that a letter addressed to Mr. V. R. Creighton setting out the terms of the Resolution agreed to by the House on 1 August, was delivered to him personally yesterday afternoon. Mr. Creighton has intimated that he will avail himself of the privilege which has been accorded to him by the House.

Hon. P. J. R. HILTON (Carnarvon—Secretary for Public Lands and Irrigation) (11.34 a.m.): I move—

“1. That, pursuant to Section 15 of the Land Acts Amendment Act of 1931 as subsequently amended, this House declares that Vivian Rogers Creighton ought to be removed from the Office of Chairman of the Land Administration Board for misbehaviour as set out in the Statement of the Cause of Suspension of the said Vivian Rogers Creighton from that Office tabled in this House on the first day of August, 1956.

“2. That Mr. Speaker convey to the Secretary for Public Lands and Irrigation, for submission to His Excellency the Governor in Council, this resolution.”

I wish to state, and state emphatically, that this motion is not moved in a spirit of malignance. It arises because of the painful and stern duty which confronts this Government. It is unique in the history of this Parliament. A careful and dispassionate study of the report of the Royal Commission which lead to this action reveals that there is ample evidence to justify the action the Government propose to take. I assure the House and the people of Queensland that such course of action was decided upon after long and careful consideration of all factors.

Mr. Aikens: Whom do you think you are kidding?

Mr. HILTON: May I make this observation at this stage: this is a most important motion and through you, Mr. Speaker, I ask all hon. members to refrain from entirely unnecessary and, shall I say, childish interruptions.

Mr. SPEAKER: Order! I shall endeavour to stop any childish interruptions, but the Minister should be able to answer any that are relevant. I think the Minister might withdraw his remark about childish interruptions.

Mr. Aikens: You would not expect anything better from him.

Mr. SPEAKER: Order! I warn the hon. member for Mundingburra that if he continues to interrupt, I will deal with him.

Mr. HILTON: In this motion I am dealing only with Mr. Creighton's particular and regretful part in the unfortunate happening. Certain leading articles, mainly in the metropolitan Press, have, I think, placed this matter in an entirely false perspective. After reading those articles, I wondered if the persons responsible for them had perused all the evidence tendered and the exhibits placed before the Royal Commission. If they had, I regret to say that the Press has ignored the most important aspects and has adopted a role not in accord with the ethics of responsible journalism. A study of all relevant matter reinforces the charge of misbehaviour that the Government now make against Mr. Vivian Rogers Creighton.

I now propose to outline very briefly the circumstances leading to this motion. Vivian Rogers Creighton first joined the administration of the Department of Public Lands in December, 1923. He served in various parts of the State, and was first appointed to the Land Administration Board in 1952 in the room of Mr. McLean, who vacated the chairmanship of the Board to take office as a member of the Land Court. Mr. Creighton's appointment then was as a member and not as Chairman of the Land Administration Board. It was probationary as from 14 February, 1952, and permanent as from 14 February, 1953. Mr. Creighton succeeded Mr. Lucy as Chairman when the latter in turn vacated that office to go to the Land Court. His appointment as Chairman dated from 9 November, 1953.

At this stage I direct the attention of hon. members to Section 15 of the Land Acts Amendment Act of 1931, the provisions of which are as follows:—

"The members of the Board shall hold office during good behaviour, and shall not be removed therefrom unless an address shall be presented to the Governor by the Legislative Assembly praying for such removal on the ground of proved misbehaviour or incapacity:

"Provided that at any time when Parliament is not sitting the Governor in Council may suspend any member of the Board from his office for inability or misbehaviour, in which case a statement of the cause of suspension shall be laid before Parliament within seven days after the commencement of the next session thereof.

"The member so suspended shall be restored to office unless the Legislative Assembly, within twenty-one days from the time when such statement has been laid before it, declares by resolution that the member ought to be removed from office, and if within the said time the Legislative Assembly so declares the member shall be removed by the Governor in Council accordingly."

As I have mentioned, Mr. Creighton's permanent appointment as a Board member took place on 14 February, 1953 and his 1956—c

appointment as Chairman dated from 9 November, 1953. Thus it will be seen that from 14 February, 1953 he enjoyed the greatest possible protection in the security of his position that Parliament could afford him. That is a very important point to bear in mind. Mr. Creighton remained singularly silent about his charges of corruption for a long time. On his own evidence he made no complaint until August 1954 despite the fact that at any time during the preceding 17 months he could have made complaints through any of the avenues set out in the paper giving the cause of his suspension, which I tabled in the House yesterday.

I think it is right, too, that at this stage I should mention that the matters on which the Commissioner made his findings had occurred before Mr. Creighton's permanent appointment to the Board and that no findings were made on any matters raised by Mr. Creighton that occurred subsequent to his appointment as either a Board member or as Chairman of the Board. Consequent on a series of articles reflecting on the administration of the Department of Public Lands published in "The Worker" newspaper during the year 1955 and allegations partly based on those articles made in the Federal Senate, the Government appointed a Royal Commission of Inquiry on 24 February last. It was proved in evidence before that Royal Commission that the "Worker" articles were based on information given and complaints made clandestinely by Mr. Creighton to a Mr. Williams, the Northern District secretary of the Australian Workers' Union. That union, of course, owns "The Worker" newspaper.

As this stage of my speech is directed to the circumstances leading to the motion, I do not propose at the moment to reflect upon Mr. Creighton's conduct except to say that, in relation to his office, it was without doubt misbehaviour by him. In support of the charge of misbehaviour, I direct the attention of hon. members to the Commissioner's comment in Section 8 of his report, which reads—

"As I early said I am not concerned with Mr. Creighton's conduct unless it was corrupt conduct and, however misguided, however extravagant, or however wrong his correspondence and conduct may have been, I cannot persuade myself that it amounted to corrupt conduct in respect to any dealings with Crown leaseholds."

On 11 April this year the Governor in Council suspended Mr. Creighton from office. This action was taken pursuant to Section 15 of the Land Acts Amendment Act of 1931 and, in accordance with the requirements of that section, a statement of the cause of Mr. Creighton's suspension was tabled by me on 1 August, 1956, a date within seven days after the commencement of the Parliamentary session next following his suspension. All hon. members have been provided with a copy of that statement and Mr. Creighton was given a copy in ample

time for him to take steps to have such representations as he desires or is advised to make, put before the House during the present debate. I point out that Mr. Creighton's suspension resulted from a course of conduct which was not only premeditated but also deliberately planned by him with Mr. Williams.

It commenced in January, 1955, when Mr. Williams, who was then in Brisbane on union affairs, met Mr. Creighton. As far as is known that was the first time that Mr. Creighton made allegations to Mr. Williams about the Lands Department. Then Mr. Williams proceeded from Brisbane to Sydney and he and Mr. Creighton agreed that when Mr. Williams returned from Sydney Mr. Creighton would reveal more. However, they had to change their plan because Mr. Williams was unable to break his air journey when returning from Sydney to Townsville where his union employs him. The changed plan made in February, 1955, was for Mr. Creighton to deal with Mr. Williams by medium of the anonymous letter, with changes in style of writing and deliberate errors on unimportant facts aimed at concealing the writer's identity in the event of one of these anonymous letters straying into the wrong hands.

The agreed-upon purpose of the anonymous correspondence was the furnishing of matter for disclosure to the Townsville A.L.P. or for publication in "The Worker" newspaper, or for both such disclosure and publication.

No purpose would be served by my traversing in detail all the anonymous letters written by Mr. Creighton to Mr. Williams, but later on I do propose to read at least one of these extraordinary documents. There were at least eight of these letters produced and proved before the recent Royal Commission.

As well as the meeting in January, 1955, when the scheme was initiated, they laid their plans for the anonymous letters by telephone in February that year. They met again in July, 1955, when further information on lands matters was passed. A matter of more than passing interest was the clash between their respective testimonies before the Royal Commission as to what Mr. Creighton told Mr. Williams at this meeting. I point out that the Commissioner, an experienced Supreme Court Judge, said he believed Mr. Williams's version.

The fourth meeting relative to the motion upon which I am speaking occurred in Townsville about the middle of November, 1955. At present I do not propose to further elaborate the details of the cause of Mr. Creighton's suspension. All hon. members, and indeed the public of Queensland, generally know full well what transpired between these two persons concerning the administration of the Department of Public Lands. I will therefore refer to the details only to the extent necessary for me to inform Parliament, and through Parliament the

people of Queensland, why in the opinion of the Government the cause of his suspension was such that Mr. Creighton ought to be removed from office.

I submit that the primary considerations are the duties of the office of Chairman of the Land Administration Board and to whom these duties are owed. The Land Administration Board consists of three members, the chairman and two others. It is the permanent authority which, subject to ministerial control, has the statutory duty of administering the Department of Public Lands and the sub-Department of Forestry. It is also the Prickly-pear Land Commission.

I emphasise that the Land Acts Amendment Act of 1931, whereby this Board as it now stands was constituted, charges it by Section 17 (1) with, amongst other duties, the proper and effective administration of Crown lands, prickly-pear lands, State forests and national parks. I emphasise that the Chairman and other members of the Board are neither appointed nor liable to dismissal as ordinary Crown servants. The 1931 Act not only requires the Governor in Council to appoint them by commission signed by His Excellency and sealed with the State's Public Seal, but also prohibits their dismissal from office without the sanction of Parliament. By attaching these safeguards to membership of the Land Administration Board the Parliament has recognised that such membership carries with it responsibilities and duties, beyond those usually attaching to service under the Crown. I put it to this House advisedly that the converse to that is also true: namely, that members of this Board owe to their employer, the Crown, a responsibility and a duty greater than the liability of the general run of its servants. It is, Mr. Speaker, I submit, above and beyond dispute that the Crown and the Chairman or the other members of this Board stand in the relationship of master and servant and consequently the Chairman and other members each owes to the Crown as far as his conduct and actions in the discharge of his office are concerned, the duty owed by a servant to his master. The basic rule attaching to that relationship is that the servant must not be guilty of any act or conduct inconsistent with the due and faithful discharge by the servant of the duties for which he is engaged. Abuse of the master's confidence in matters appertaining to his service has always been held to be improper conduct on the part of the servant, conduct for which the servant may be dismissed. Mr. Creighton was not a menial employee of the Crown; he was an officer of very high standing and, accordingly, a Crown servant whom the Government were entitled to expect, and did in fact expect would behave under any and every circumstance according to the best standards of loyalty and integrity. Not only did the Government impose the utmost confidence in Mr. Creighton but they imposed that confidence unreservedly. But what did Mr. Creighton do?

Mr. Hiley: Do you present that as an absolute argument?

Mr. HILTON: I am presenting the whole of my case as an absolute argument. I ask the hon. member to listen patiently and appreciate the order and the sequence of the points that I make. What did Mr. Creighton do with respect to this confidence that was unreservedly placed in him? In the first place, very obviously he formed a personal antagonism to his ministerial head. He was prepared, it can be said that he was more than prepared—he was anxious to believe evil of his Minister. Any slander against his Minister, no matter how improbable the subject matter or how fantastic its source, was accepted by him with glee and disseminated by him with gusto. It can be said that he became in relation to his office an over-the-fence suburban backyard gossip of the traditional vaudeville type. But additionally to his spleen against his Minister, his behaviour was obviously motivated by other antagonisms. I propose to pursue this aspect no further at this stage. In reply I may be obliged to do so in order to refute claims that may be made as to the motives which activated Mr. Creighton. Regrettably the Press has made strenuous efforts to prejudge the case by attributing to him the most altruistic of motives.

Mr. Creighton had, of course, completed his series of anonymous letters before the Press, so to speak, came on the scene. What this House is really concerned with is whether Mr. Creighton ought to be removed from office for what he did, that is to say, for giving information and making complaints to Mr. C. W. E. Williams concerning the administration of the Department of Public Lands; and, furthermore, this House must, I submit, be concerned regarding the manner in which such complaints were made and the language used in the making of those complaints.

Without repeating details, I point out the following: Mr. Creighton first met Mr. Williams in 1951 on the occasion of both being members of a royal commission; they became friendly during the course of that royal commission and continued their friendship after its termination; when they met and at all times subsequently, Mr. Williams was the Northern District Secretary of the Australian Workers' Union; he had no concern in that office or otherwise with the administration of the Department of Public Lands, except insofar as that administration concerned him personally or his union.

It follows that Mr. Creighton not only had no authority to give Mr. Williams, but indeed was obligated by the duties of his office not to give Mr. Williams, information concerning matters of departmental administration, in which neither Mr. Williams nor the A.W.U. had an interest.

By way of amplification, I wish to state that by interest I mean something in the

nature of a right as distinct from an opinion of what should be done or curiosity concerning what had been done.

I assert confidently that, irrespective of political affiliations, every hon. member who gives unbiased consideration to this matter must concede that neither Mr. Williams nor the A.W.U. had any legitimate right whatsoever which would provide even a shadow of justification for what Mr. Creighton did. Every hon. member must also concede that what Mr. Creighton did was down to the smallest detail calculated, deliberate, and done with the full knowledge and appreciation that it contravened the duties of his office. For proof of that you need go no further than the arrangements made in February for Mr. Creighton to furnish Mr. Williams with written information anonymously. This anonymity was to meet the contingency of the correspondence going astray. Right from its inception the arrangement between these two was clandestine. Mr. Creighton's official conduct both when "The Worker" newspaper published his information and complaints to Mr. Williams and when the royal commission resulting therefrom was constituted is further proof, if such be needed, of his duplicity and underhandedness. He played the role which his office required of him in the departmental reply to "The Worker" and in departmental conferences with legal advisers which preceded the opening of the royal commission. I take no objection to the fact that he played his official role in these matters, but I do criticise as being most derogatory of him his playing that role in a manner calculated to represent that he refuted the allegations, suggestions and inferences which in fact he and no-one else had made. Does that fact, a clearly established fact, indicate honesty of purpose?

Was this behaviour that of a man burning to have wrongs corrected and evils rectified? How much less was it calculated to attain those objectives in the proper manner? Is it not extraordinary, Mr. Speaker, that a man who now assumes or seeks to appear in the role of a rightful crusader should, in conjunction with his Minister, prepare arguments and produce evidence from departmental files in reply to allegations made knowing full well that all the time he was the very man that had caused such allegations to be made.

Mr. Aikens: That is not true.

Mr. HILTON: I repeat that in moving this motion I am dealing only with Mr. Creighton's part in the whole matter. I say without reservation that Mr. Creighton was not a reformer or crusader but a conspirator working under the cloak of anonymity. Even at the bitter end he did not step out into the open. He was forced out. I think that all hon. members in this Chamber know how he was forced out from under his cloak of anonymity. He was forced out because his name was written on a piece

of paper and handed to the Royal Commissioner. It was then, and only then, that the cloak of anonymity was destroyed.

Mr. Morris: It is not true.

Mr. HILTON: It is perfectly true, Mr. Speaker. The anonymous letters he wrote to Mr. Williams reveal an overall picture of a man motivated by bitter prejudices, labouring not to bring somebody to justice but to destroy a number of persons simply because he disliked their views and beliefs. Reference to some extracts from these letters is contained in the Commissioner's report. The derogatory and insulting terms and expressions used in these communications reveal the real nature of his conspiracy, and I regret to say, his extraordinary mentality. Can we honestly believe, as the daily Press of this city and other people would have us believe, that this man engaged in a righteous crusade? This highly placed public servant sitting in his privileged and protected position knew the constitutional avenues of approach to His Excellency the Governor, the Cabinet and the Premier—

Opposition Members interjected.

Mr. HILTON: I appreciate the fact that there are other people than the unintelligent hon. members who are interjecting who might like to get the information I am making available. I repeat that this highly placed public servant sitting in his privileged and protected positions, and who knew the constitutional avenues of approach to His Excellency the Governor, the Cabinet, the Premier and the Parliament of the State, but under the cunningly devised cloak of anonymity issued numerous false and scurrilous accusations against so many people. Mr. Creighton also included the Opposition in this Parliament in his campaign of slander. Perhaps, after I read certain letters, as I propose to do, hon. members opposite might not be so vociferous in their protestations by way of indignation. In support of the statement I make that he included the Opposition in this Parliament in his campaign of slander, I propose to read a letter which is Exhibit 63 in the documents tendered to the commission. There are many of these letters; I do not propose to read them all. Whilst the subject matter might vary the main theme of the letters is the same and reveals that extraordinary mentality which I regret to say Mr. Creighton has displayed.

Let me now read Exhibit 63, which was placed before the Royal Commissioner. I propose to read it slowly and deliberately, and I appeal to those hon. members who wish to have an intelligent appreciation of this important matter to ponder on the statements made in it and all the implications associated therewith. The letter is addressed to "E for Energy."

Mr. Hiley: Is there a date to it?

Mr. HILTON: If the hon. member will refer to the Royal Commissioner's report, he will find that all the exhibits are referenced.

Mr. Hiley: What exhibit is it?

Mr. HILTON: I have already said that it is Exhibit 63. It reads—

"'The Worker' article was a damp squib and Tom lifted his tail as he was fearing something—now he is taking Bucketo on by publicising his previous letter to him. You can take it from me that they are going on with this thing regardless and your deputation to Gair has not frightened them a bit. That is no exaggeration. I KNOW. The drill will be this. Cameron applies for lease extensions—probably has. The stooge recommends to Tom who takes it to Cabinet on a Tuesday goes through Executive Council on Thursday. The law says the offer is then made and the lessee has 3 months to accept. But Cameron will be on the doorstep accept at once and from the quarter day following acceptance the thing is binding and CAN'T be upset. Now if the offer is made and taken just before the quarter day even the Department staff won't know and there will be no time for protests or anything. Home on the bit. Mr. Deficiency now knows all this and his expert summing up is—money has already passed. I believe him but the thing is your deadline is 30th September next. They could let it ride to December and put the thing through after all the members have dispersed for Christmas and when there could be no party meeting for a time but my opinion is, and it's guided by things I see and hear is—they will do it soon and brazen it out. There will be no effective opposition from the Opposition if as I hear Corkscrew Jack has done his work with Sparkes. And any M.P. who goes out of line then will not get Cabinet support and Cabinet will have the dough. Now the only fly in the ointment is P. H. but deficiency says the A.W.U. is likely to pleb him anyhow. Which shows which side he is on. But they could get rid of Paul by putting him in the Land Court when Payne's term expires on fifth september. He's eligible for reappointment for 5 years and that was put up to Cabinet by Tom but there was opposition from the WRECKER and the matter is deferred till Gair comes back. If he is NOT reappointed it is odds on Paul will be pushed out that door. You can take this too; no politician will fight this Cameron business hard."

May I emphasise those words? The letter says that no politician, not even the hon. member for Mundingburra, will fight this Cameron business hard.

Mr. Muller: He referred to Cabinet members. They were the only people in the know.

Mr. HILTON: He referred to the Opposition, as I have said.

Opposition Members interjected.

Mr. SPEAKER: Order! I ask hon. members to allow the Minister to deliver his speech without interruption and so that everyone will have a knowledge of what he is saying.

Mr. Morris interjected.

Mr. SPEAKER: Order! If the hon. member does not wish to hear what the Minister has to say, I suggest that he go to the library and engage in some other occupation. The Minister is trying to enlighten the House. I will take steps to deal with any hon. member who disregards the authority of the Chair.

Mr. HILTON: Thank you, Mr. Speaker. I shall continue to read his remarks. He said—

“You can take this, too; no politician will fight this Cameron business hard. If it was put to the party it would be knocked, but it won't go to the party and they'll take it because if they don't they won't get any lolly. I've seen one after the other reckon they could stop this thing. You people are the last left but if you want to stop it you will need to move fast and strong. There is not much time left. Your personal visit idea is the best and if you can break C. down you will get the whole dirty story and have the lot where you want them. If they win they will never heed A.W.U. again. P.S. If you want another titbit use Woolerina. Cabinet approved resumption in 1953. After I/C. inspected, Winter (lessee) saw Tom who countermanded Cabinet order early in 1954.”

As I said, there are many of those letters, which have been proved before the royal commission.

Mr. Aikens: Did you say he specifically mentioned me in one of his letters?

Mr. HILTON: No, I did not say that, other than that he said, “no politician.” I have referred briefly to only a few salient points, with any implications associated therewith. I think that if we are to give honest, unbiased and deliberate thought to the matter, remembering that it involves not only the conveying of information but also the manner in which it was conveyed, we should take the terms used very deeply into consideration. This letter impugns not merely the Government as a whole but also me personally. It impugns my reputation. Although Mr. Creighton agreed that I would be opposed to such a proposal, he said I would be content to sell out my conscience by receiving an appointment to the presidency of the Land Court, a position that any intelligent man would know I have neither the experience nor the qualifications to fill. That filthy suggestion comes from a man in a highly-placed office. I want those remarks to sink into the

minds of those who want to gain a correct, dispassionate and fair appreciation of this very regrettable matter.

Mr. Nicholson: That statement is contrary to the findings of the Commissioner.

A Government Member: You have not read the report.

Mr. HILTON: That interjection is really pathetic. To continue, it is obvious that in his dealings with Mr. Williams—

1. Mr. Creighton acted largely from improper personal, as distinct from proper official, motives;

2. He was more concerned with promoting his private animosities than with pursuing his official duty of securing the rectification of any maladministration there might be in his department; and

3. To the extent to which he had any genuine belief that there was such maladministration, he perverted his duty to his private animosities—

(Time, on motion of Mr. Gunn, extended.)

Mr. HILTON: I thank hon. members for granting me the extension. I will not detain them any longer than is reasonable and necessary for the case I am stating. To continue—

3. To the extent to which he had any genuine belief that there was such maladministration, he perverted his duty to his private animosities by using the matter of that belief to promote those animosities instead of taking steps through the proper and recognised official channels to correct such maladministration.

The derogatory and insulting nature of the terms and expressions used in these remarkable communications reveals the true nature of his conspiracy and his extraordinary mentality. Can we honestly believe, as the daily Press and some people would have us believe, that this man engaged in a righteous crusade? Here was a highly-placed public servant, sitting in his privileged and protected position who ignored the constitutional avenues of approach to His Excellency the Governor, Cabinet, the Premier, and the Parliament of the State and in a cunning way of anonymity issued numerous false and scurrilous accusations against so many people. These things must be taken into consideration.

There is another important aspect of the matter that we should take some cognisance of. The Public Service of the State has built up an excellent tradition of loyalty and integrity in implementing the legislation passed by Parliament and in administering policies expressed by Governments in their legislation.

I feel sure that most members of the Public Service view with great distaste the actions of this highly-placed officer in his position of trust. Can we believe that duplicity and honesty of purpose go hand in hand?

Obviously not. They know, and we know, that they are diametrically opposed. The role of duplicity, apart from the other things, has been clearly established in this regrettable matter.

Certain newspapers have endeavoured through their columns to place Mr. Creighton's conduct in an entirely false perspective. I feel quite sure that no newspaper company nor any other responsible body of people would continue to retain in office a person who was guilty of the duplicity and treachery which the weight of evidence places upon Mr. Creighton's shoulders. Would the Leader of the Opposition or any other hon. member opposite who had the responsibility of ministerial office choose to continue employing in such an important and confidential post a man who has been, irrespective of any genuine ideas that might have crossed his mind, guilty of such duplicity and treachery? I leave the answer to them.

In conclusion I say with all sincerity that there is no malevolence on the part of the Government in bringing forward the motion for the consideration of hon. members. Every right-thinking person must experience feelings of regret when persons in high office abuse the trust and confidence reposed in them. As I said at the outset, a stern duty confronts the Government and the Government in turn would be recreant to their trust if they did not pursue the only course—and I emphasise that, the only course—open to them in dealing with this deplorable behaviour.

Hon. A. JONES (Charters Towers—Secretary for Labour and Industry) (12.20 p.m.): At the outset I make no apology at all for seconding this motion. I think every hon. member who has not already made himself conversant with the record and the eight letters put in as exhibits should make himself conversant with those matters. I do not think that any commonsense man, having read those letters would suggest that Mr. Creighton is a fit and proper person to fill the position of Chairman of the Land Administration Board. When the Secretary for Public Lands and Irrigation read a letter a few moments ago a few hon. members, particularly Opposition Members, appeared to be surprised as though they had not heard of it before. (Opposition interjections.) The fact remains that he attempted to tie up the Opposition with the Government. Let hon. members read the letter. It is plain if you read it yourself. What hon. members in this House, having read those letters, would feel happy in the position of Secretary for Public Lands and Irrigation with Mr. Creighton as the permanent head? I have had some experience in that department—a very happy experience—and I would not like to work with Mr. Creighton, knowing what I know now. This man was prepared to make available information from documents and files in the department to an outside

person, knowing that it was going into a newspaper. Questions on those articles were asked in this House and he was the man who prepared the replies for the Minister. This is the same man who gave out the information which appeared in the newspapers. You find this duplicity all along the line. You find him with Mr. Foley and his barristers advising them in connection with his defence. Is not this duplicity of the worst kind. Is not there a moral obligation on us to do something in such a matter? He has outraged every principle of the ordinary public servant.

What is this position of Chairman of the Land Administration Board? It was created in 1927, by a Labour Government. Initially it was set up temporarily with the object, as expressed in the Act creating it, of providing for—

“the better carrying out of the provisions of the Land Acts and in particular for assisting the Minister in granting drought relief to grazing selectors.”

The 1927 Act which established the Board also covered the matter of such drought relief. Provision was made for a Board of three persons to be appointed by the Governor in Council. At this stage I do suggest that the Labour Government of 1927 had a very clear and correct appreciation of the essential nature of its new creation. What it wanted and what it established was an administrative authority responsible to the Executive Government. The next step was taken by the anti-Labour Government of Mr. Moore in 1931. It was to establish the Land Administration Board on a permanent basis. Very interestingly, “Hansard,” Vol. 160, page 2199, records the following questions and answers during the course of the introductory debate upon the Bill for the 1931 amending Act. Mr. George Pollock was a member of the Opposition and he asked Mr. W. Deacon, the then Secretary for Public Lands the question that I shall read. The answer given indicates that when the amendment was passed Mr. Deacon was of the opinion that the ordinary Public Service Regulations would apply to the Chairman of the Land Administration Board.

The question and answer read as follows:—
“Question—Is there any power given you to dismiss the Board if it is not carrying out its work satisfactorily?”

“Answer: No more than is given to dismiss any other public servant. Any public servant is liable to dismissal for misbehaviour.”

Mr. Pollock asked, “What is the machinery in this case?” Mr. Deacon replied, “The usual machinery.” He did not actually know what he was saying or doing at that time, as is clearly indicated by those replies. They show an extraordinary state of mind in the Minister at that particular time. Mr. Deacon was obviously labouring under the misapprehension that the Government were merely placing on a permanent footing an administrative authority within the public service.

In other words, as far as the Land Administration Board was concerned, Mr. Deacon did not know what he was doing at that time. A very fair inference is that, if Mr. Deacon did not know, probably the Government did not know. The truth is that, as distinct from the ordinary public service machinery, extraordinary provision was made in the 1931 Bill both in regard to the appointment and the dismissal of members of the Land Administration Board.

My present speech is not so much concerned with why and how the provision got into the Bill without the knowledge or understanding of the Government of the day; my present concern is the effect of what Mr. Deacon did.

In passing, I say that I do hope hon. members opposite will appreciate or approach the issue which is involved under the 1931 legislative enactment with some understanding and knowledge of its real implications. The true effect of the 1931 Act was to place members of the Land Administration Board in a very privileged position. It made them creatures of this Parliament and, when I say creatures, I am not being derogatory, but merely using the term in the correct sense as meaning that as members of that Board they have been created by this Parliament. Not only has Parliament created them, but it has made them responsible for their behaviour to Parliament and Parliament alone. Parliament granted very high privileges to members of the Board. A principle of our form of Government is that the higher the privilege the greater the responsibilities of office. I think that is most important. I have noticed in newspaper articles, particularly "The Sunday Mail" of last Sunday that Mr. Creighton referred to the fact that he was not a public servant and could not be treated as such. Of course, that is correct, but the fact that he said he was in the same category as judges of the Supreme Court, the Auditor-General and so on does not make him any less liable in the matter of his conduct. As a matter of fact, I think it would be exactly the opposite—the higher the position the higher the responsibility to set an example to someone else, because after all he was holding a very high office as Chairman of the Land Administration Board. I do not think there are very many more important administrative positions in the Public Service than that particular office. It is a most important job, because that office deals with matters affecting vast sums of Government money. From my experience of the departments in which I have served since I have been a member of Cabinet, I do not know of a more important department from that point of view than the Department of Public Lands. The very fact that provision was made whereby he was responsible to the Executive Government only is proof of that.

Adverting to Mr. Creighton, who is the subject of the motion now under discussion, let us consider who he was and what he

did. He was at all material times to this motion the Chairman of the Land Administration Board and the permanent Public Service head of the Lands Department and the Sub-Department of Forestry. As that permanent head he was the arbiter of the conduct of a very large number of public servants, none of whom enjoyed his privileged position. Among other things his conduct leads me to reflect as to his temperamental suitability to be in charge of other officers. When I mention his temperamental suitability, I refer to that correspondence to which I adverted in my opening remarks. I think it is most important that hon. members should make themselves conversant with that, and then judge for themselves whether they think a man with a mind such as that who puts stuff such as that on paper is fitted for this position. I am satisfied, of course, that he never believed at any time that these letters would be made public. I am fairly sure of that.

Mr. Hiley: There would be no doubt of that.

Mr. A. JONES: There is no doubt of that. One only has to refer to some of the letters and it is obvious from the language used that he never thought that they would see the light of day, or obviously he would not have used it. Take for instance the dealings with the Town of Broadbeach, and what I am about to read is contained in Exhibit 69, being a letter from Mr. Creighton to Mr. Williams dated 2 November, 1955 in which he said—

"There was a bit of dirty work done over Lennons Hotel at Broadbeach—the Hotel got extra land after the license was granted—they are paying for it of course but the area was considerably increased and it could be asked what is the Premier's interest in this place which he is going to open soon. Only the bar and a cafe will be finished then—no accommodation—and in any case it won't be any worker's hostel when it is finished."

In a postscript he added—

"You can keep the Lennons Hotel and Paradise Island jobs till after I see you."

And then I refer to Exhibit 58, a letter from Mr. Creighton to Mr. Williams dated 1 June, 1955, and this extract—

"Though no judge of political responsiveness on the part of the electors it is obvious from conversation with a wide section of persons that a patched up peace will not win the Party an election. After the passage of. . ."

and he then refers to a union official, but the letter goes on to say—

"... the intelligent vote will not follow Gair and Co. No one can or would believe them. There must be a purge if Labour is to live. Gair, Walsh, Power, Moore, and others have had it and can only lead their party into the mulga."

What would be the position if it mentioned Messrs. Nicklin, Muller and Sparkes? Would the hon. members of the Opposition sit back and take it? Of course they would not.

Mr. Aikens: Are you objecting to the fact that he wrote in the vernacular?

Mr. A. JONES: I am taking the position and applying it to hon. members opposite and I say that I do not think any public servant would be considered to be doing the right thing in making such observations relating to any member of this House, let alone Cabinet ministers.

Mr. Evans: Didn't he approach you?

Mr. A. JONES: I shall tell the hon. member all about it before I sit down. I am only quoting extracts from these letters and I now refer to Exhibit 68, which is a letter dated 21 October, 1955 from "V for Victory." It says—

"Will keep you posted but if you can be in Townsville on afternoon of 14th would very much like to see you. Have a nice little scandal and would like a talk in general. If it is likely you would be home that day I would wire you before leaving. Lay off the phone but it is safe to wire or write me."

Hon. members will see the deception. He did not want to have anything brought out. He concluded by saying—

"In the meantime, good luck, and keep off the grog."

It is not my intention to read all these letters but what I have read gives a picture of the mentality of this individual, particularly when he is prepared to put that sort of stuff into writing knowing full well that it was being used by a newspaper. Those are facts that we have to keep before us all the while. Mr. Creighton suggested, in the Press, that his going to Mr. Williams was to get intervention by the Australian Workers' Union because that was a union most influential in Labour Government affairs. It may be a coincidence, Mr. Speaker, that he went to the A.W.U. just about the time there was a little rift between the Parliamentary Labour Party and the A.W.U. Is there any coincidence in that? What was his motive in going to the A.W.U.? Again why, having regard to the motives he claims for going to the A.W.U., did he neglect no opportunity to asperse members of the political Labour Party? Let me revert to his anonymous correspondence. I would pass up the ridiculous and self-humiliating resort by Mr. Creighton to the pen-name of "V for Victory," except for one thing. It shows the mentality of the man. In his arrogance he branded 'as a fool or knave anyone who crossed him.

Again, his letters reveal him as not merely a purveyor of information, but also as a manufacturer of information. If he was not a manufacturer of information, we have the

remarkable coincidence that he obtained anonymously information that he conveyed anonymously. The Royal Commission had strong evidence that Mr. Creighton manufactured information. For example, there was the matter of the ten £10 notes. He made a direct allegation to Mr. Williams concerning that matter, but when challenged on oath he took refuge behind an anonymous informant. He made other serious allegations to Mr. Williams and again, when pressed by the Commissioner, said that the information came from an anonymous informant. He could not give the Commissioner the information that he was seeking.

Some of Mr. Creighton's allegations were typical of the bad-tempered reaction of a small child when thwarted. Take, for example, the case of Paradise Island. It is freehold property and not ordinarily the concern of the Department of Public Lands. However, Mr. Creighton wanted the owner to surrender a substantial esplanade. The owner, as he was quite entitled to do, refused to surrender, and Mr. Creighton reacted ruthlessly and violently. Not only did he distort the facts, but he engaged in what can be classed only as deliberate untruths to suggest something nefarious. Mr. Justice Townley, after reciting the proved facts relating to Paradise Island, said this at page 128 of his report—

"The point is, however, how could those facts be made the basis for suggesting that there were some 'secret negotiations' between the registered proprietor and the Government or between the former and the Minister or between any persons whatsoever as to a lease or purchase of the Island? The asking of these questions in an article, one of a series of articles about Crown leaseholds, quite apart from the actual wording of the questions themselves, seems to imply that something was going on in relation to Paradise Island in which the Government or the Minister was concerned and which required investigation or explanation. The 'negotiations' had been with Mr. Creighton himself and, on the evidence, with no other person, and why they should be characterised as 'secret' I cannot imagine. Surely it is not to be suggested that ordinary business negotiations of the nature in question between the Crown and an individual should normally be made public. There is a vast difference between 'private' and 'secret'."

Again, Mr. Creighton paid scant respect to Parliament's requirement that, as Chairman of the Land Administration Board, he should function as one of a board of three members. As has already been pointed out, the Land Administration Board consists of three persons, and the working of the Board is that the Chairman calls it together from time to time to deal with various matters. The members of the Board make various decisions and perhaps submit proposals to Cabinet. However, my information is that since Mr.

Creighton has been Chairman of the Board, at no time has he called a meeting of the Board. He has made his own decisions.

Mr. Hiley: Is he charged in that regard?

Mr. A. JONES: No, I am merely making that point.

Mr. Hiley: What is the relevance of it?

Mr. A. JONES: It came out in the Commission. There is no harm in mentioning it.

Mr. Gair: He did not like Bergin.

Mr. A. JONES: That is so. He would not work with Mr. Bergin, apparently, and consequently the Board did not meet.

Mr. Creighton has claimed that his object was to carry out policy with devotion and zeal, a claim that leads to the very pertinent question: "What policy?" I say deliberately that if Mr. Creighton's policy was not his own, it was a queer perversion of Government policy.

I now draw attention to the following passage from the Royal Commissioner's report on page 81—

"To my mind there is nothing wrong with a lessee deciding to take or taking such action for its own benefit, so long as it seeks to attain its end by legitimate means only.

"There is no reason whatsoever, in my opinion, why a lessee should not approach the Crown or any representative of the Crown in an endeavour to achieve its object."

Again, on page 96, he said—

"There is, to my mind, nothing wrong at all in a Crown lessee approaching any Minister, or Member of Parliament, or anyone else in authority in an endeavour to obtain some concession to which he thinks he is entitled. There is nothing wrong with it even though it may result in his receiving treatment which others have not had the opportunity of receiving. That is a question of policy and every alteration of policy must to some extent work what may seem injustice to persons who have altered their position under the old policy. But I cannot too strongly stress that it is the right of every person to submit his case and have his case considered and, if necessary, investigated before decision."

At page 99, he said—

"As I have previously indicated, I see no reason why a lessee who has made application under the 1952 Amendment Act may not change his mind at any time before his final election and seek something which he considers more advantageous to himself. There is no reason why he should not submit any proposal to the Minister for Lands or, for that matter, to any other Minister or person who he conceives may assist him to attain his end. There is

no reason why any Minister or person to whom any such proposal is submitted should not investigate it or have it investigated. The facts that the proposition is unsound, insupportable or even unjust to others do not prevent its being made and investigated. Indeed, unless it is palpably absurd or objectionable, the objections to it may not appear unless and until it is investigated."

But what were Mr. Creighton's views on persons who made representations, such as were referred to by His Honour Mr. Justice Townley? Mr. Creighton could not and would not tolerate such things. To Mr. Creighton the mere making of a representation that did not accord with his views of what was fit and proper necessarily branded its maker as some sort of criminal. He could not take away the lives or liberty of persons who so offended him but he was willing to the point of extreme anxiety to take away their reputations and he left no stone unturned in his endeavour to do so.

While the Secretary for Public Lands and Irrigation was speaking and, I think, a moment ago an hon. member interjected and said "Creighton saw you!" He did. Mr. Creighton saw me but he made no complaint to me about any of these matters or about any matter involved in the findings of the Commissioner. For the information of hon. members I shall read a short letter I wrote to the Commissioner in reply to the first communication I received from him. At the end of his letter he said—

"I should be grateful if, in order that it may be determined whether you can give relevant evidence or information, you would supply me with a statement setting out your recollection of any conversation you had with Mr. V. R. Creighton, Chairman of the Land Administration Board, or The Honourable the Premier, upon the subject of any dealing or proposed or suggested dealing with any Crown leasehold. Would you also please set out in the statement any other evidence or information you may have which might be of assistance to the Commission?

"I should appreciate a reply at your early convenience.

"Yours faithfully,

(Sgd.) K. R. TOWNLEY,
Commissioner."

Mr. Aikens: Why didn't you go in the box?

Mr. A. JONES: I wrote to him. He could have called me if he so desired. He asked me to make a statement, which I did, and this is it, as a matter of fact, dated 1 May and addressed to Mr. Justice K. R. Townley. It reads—

"Your Honour,

"I have to acknowledge receipt of your letter of the 27th ultimo to which I have given my earnest consideration.

"Mr. Creighton interviewed me during Exhibition Week, 1954. I am fairly certain it was a half-staff day. He arrived about 12.40 p.m. and the interview lasted about ten minutes. The appointment was made for me to see him by Mr. McLean, a member of the Land Court, through my Private Secretary.

"The only matter discussed was the question of the extension of leases of the grazing properties known as 'Lundavra', which he informed me were owned by the Cameron family.

"Mr. Creighton asked me whether I had heard any rumours in connection with the extension of any of these leases. I told him I had never heard of 'Lundavra,' though I did know Mr. Cameron who had called on me when I was Minister for Lands, in connection with his property known as 'Bullamon Plains', and that he had asked me to inspect it if I were at any time in the district, but that I had not done so.

"He then proceeded to explain to me his opposition to any extension of these leases, and after listening to him I suggested that, for greater accuracy, he give me his views in writing. I informed him that before any extension of leases could be granted the matter would have to be decided by Cabinet. He agreed that this was so. I then said that if he gave me his views in writing I would be in a position to know the case for and against the extensions, if these matters ever came before Cabinet. I received his views in writing, through my private secretary, a few days later.

"I have seen a copy of part of Exhibit 96, which is enclosed herewith, containing those views, and to the best of my recollection I understand these views were left with my private secretary and given to me by the latter a few days after my interview with Mr. Creighton. I do not remember seeing the Schedules forming the balance of Exhibit 96.

"I did not treat the matter as of any moment. Some short time after I did mention the matter of Mr. Creighton's visit to Mr. Hilton."

I asked him if he had heard anything about it.

My letter continues—

"I also briefly mentioned to the Premier in passing that there was a rumour that Cameron was to get an extension of the 'Lundavra' leases. We had no further conversation concerning the matter. I did not tell the Premier that Mr. Creighton was the source of the rumour until after Mr. Creighton went into the witness box.

"No unsavoury rumours were mentioned to me by Mr. Creighton. I cannot give any other evidence or information which might be of assistance to the Commission."

That accurately sets out the position. The only matter mentioned to me by Mr. Creighton when he came over to see me was the Lundavra leases. Later he asked had I heard rumours. I said that I had heard nothing. I told him that I had not even heard of the property. He explained the details of it and I just said that I had heard nothing. For greater accuracy I took the precaution of asking him to put it in writing. Then at least I would have something to go on should the matter be raised later on. He sent over some unsigned information giving details of the property and what he thought the extensions would be worth. That is all that happened from my point of view.

I noticed that in the Press Mr. Creighton made a great song about his seeing Mr. Jones and Mr. Hilton. There is not much in that. Had I known what he had come for I probably would not have found time to see him. He came just before lunch. I represent an area with a fair number of pastoral properties and from time to time I have dealings with the Land Administration Board. When he came I thought that possibly he wanted to discuss some matter with me that I had taken up with the Board. I did not treat it seriously. Had I done so I would have made some reference to it in Cabinet.

I believe that Mr. Creighton in divulging the contents of official files and documents to the outside public has proved himself a person unfitted to carry on the office of Chairman of the Land Administration Board and I have pleasure in seconding the motion.

Mr. SPEAKER: Pursuant to the resolution agreed to by the House yesterday I propose to allow Vivian Rogers Creighton to appear in person, or by his counsel, at the Bar of the House, and to address the House in relation to the cause of his suspension. As the time is almost 10 minutes to 1, and Mr. Creighton will want half an hour or more to state his case, I propose to call him at 2.15 p.m.

MR. VIVIAN ROGERS CREIGHTON.

LEAVE TO APPEAR BEFORE BAR OF HOUSE.

2.15 p.m.:

Mr. SPEAKER: Hon. members, I wish to repeat a statement I made before the luncheon adjournment that in pursuance of the resolution agreed to by the House yesterday, I now propose to allow Mr. Vivian Rogers Creighton to appear in person or by his counsel at the Bar of the House and to address the House in relation to the cause of his suspension.

Before doing so, I wish to inform the House that in order to ensure greater accuracy in the reporting of the address I have directed the members of the "Hansard" staff to take their notes at the lower end of the table of

the House. That is, the end away from me. I understand that Mr. Creighton speaks in a low tone.

Vivian Rogers Creighton was introduced at the Bar of the House by the Sergeant-at-Arms—

Mr. SPEAKER: Vivian Rogers Creighton, the Legislative Assembly has given you leave to appear in person or by counsel at the Bar of the House and address the House in relation to the cause of your suspension. The time allowed for such address is not to exceed 70 minutes. Do you, yourself, desire to address the House or be represented by counsel?

Mr. CREIGHTON: I desire to address the House in person.

Mr. SPEAKER: You may now proceed with your address.

Mr. CREIGHTON: Mr. Speaker and Honourable Members,

Firstly, I would like to place on record my appreciation to Parliament for allowing me the opportunity of coming before the Bar of the House to address Parliament.

At the outset, I wish to state that, in my opinion, no good purpose would be served by my discussing in detail the evidence given by me in the recent royal commission, nor in detailing the findings by His Honour, Mr. Justice Townley of such commission, particulars of which are well known to you all.

I now intend to state as briefly as possible first my reasons for acting as I did in communicating with Mr. Williams of the A.W.U. and then to refute this charge of misbehaviour.

I have been employed by the Lands Department since 1923, when I was appointed as an acting land ranger. In 1944, I was appointed a Land Commissioner but did not immediately take up duties as such as I was on war service with the A.I.F. On my discharge from the A.I.F. in 1945, I was appointed to Head Office, Lands Department, Brisbane, as Land Commissioner. In 1949, I was appointed Chief Assessor and Inspector in the Lands Department which duties I carried out until 1952, when I was appointed a member of the Land Administration Board. In November 1953, I was appointed chairman of that board.

The Land Administration Board was constituted by Part III. of the Lands Act Amendment Act of 1931 for the better administration of the land laws and the more effective control of land settlement. The board is the paramount authority subject to the Minister charged with the administration of all leasehold lands in Queensland. The Chairman is for all purposes the permanent head of the Department of Public Lands. Furthermore, pursuant to Section 17 of The Amended Land Act of 1931, it is the duty of the Land Administration Board to advise the Minister on matters of land administration generally. Those are the purposes for

which meetings of the board would be called. In practice, each member of the board has separate duties and at their informal meetings it is rarely necessary to record proceedings in minutes. Neither the Minister nor myself called formal meetings of the board during my period of office; it never appeared necessary to do so.

As Chairman of the Land Administration Board, it has always been my conviction that by reason of the terms of my appointment pursuant to the Lands Act, I have a duty transcending that of persons appointed under the Public Service Acts. As Parliament is aware, I, as Chairman of the Land Administration Board, am not subject to The Public Service Acts but I am appointed to my position by commission and am responsible to Parliament itself.

Of course, I realise that I am responsible to the Minister for Public Lands as immediate representative to Parliament, but I feel and have always felt that I at no time owed a duty to the Minister for Public Lands when I was satisfied that his conduct was contrary to public interest and good.

My reason for this was that I felt that, as Chairman, I owed a duty to the Crown to uphold in all cases that which I thought right and proper and I carried out my duties at all times to the best of my ability to ensure proper administration in the control of public lands, pursuant to the terms and conditions of the Act and the policy of the Government as laid down by it.

From the time of my appointment to the Board, I heard numerous rumours in regard to certain irregularities in the then Minister for Lands' dealings with certain Crown leaseholds and I became very alarmed and distressed at certain events which occurred in the Department.

As Parliament is aware, both the Minister and also the Board to a certain extent are allowed a great deal of discretion under the Act and I felt without doubt that preferences were either given or were to be given which would be against the interest of the public as a whole and which in fact were against the policy as laid down by the Government.

As time progressed, my opinions became stronger and I felt that not only would the reputation of the Government be impugned but that preferences to certain lessees, if given, would be greatly against both public interest and good and also the policy of the Government.

I would point out at this juncture that, in my position, I felt that I owed a duty to effect the policy of the Government in power from time to time.

In view of the events which had occurred, and which I considered may occur, I decided after much thought that it was my responsibility to bring into the open such matters in order that the whole position could be cleared. In this regard, I decided that there was no duty upon me to give blind personal loyalty to my Minister.

Of course, I will concede as I have previously briefly stated that, in ordinary circumstances, I owe, as head of my Department, to my Minister both loyalty and discretion. But it was impossible for me to abide by this loyalty and discretion if I was to attempt to bring these matters into the open. After much consideration, I decided upon this course as it was obvious that there may come a time when these virtues could be a cloak, not merely for corruption, but for even more serious derelictions of duty. Surely, no one would suggest that a public officer should close his eyes for example to treason or sedition out of personal loyalty to any particular person or body.

My decision to depart from the ordinary principle of loyalty which was, in the circumstances, no longer applicable, was essentially personal and in my case it was made after long and careful consideration and after I had satisfied myself that my first duty, under the circumstances, was to the public as a whole.

So much for the reasons for my decision to oppose and to expose the conduct of the former Minister for Lands, since found guilty of corrupt conduct.

It was then necessary for me to decide what method I should take in an endeavour to bring my suspicions into the open, especially as I did not have any positive evidence, in the legal sense, of any improper practices.

I now reach the second step in my statement, that is, the refutation of the charge that has been made against me.

The facts alleged to constitute my misbehaviour are not in dispute in that I did communicate to Mr. Williams information which came to my knowledge by virtue of my office, but I do deny that part of the charge which says that I was not entitled to communicate to him the kind of information which I did.

In the circumstances of this matter I claim not merely that I was entitled to do what I did but that it was my duty to do so. Parliament must, however, understand that the nature of the information I gave to Williams was not of a designated secret character. I came to know Mr. Williams when we were both members of a royal commission appointed by the Government to inquire into this very matter of pastoral lands settlement. The Government saw fit to have the A.W.U. represented on that commission and Mr. Williams was the A.W.U. representative. The findings of that royal commission subsequently became in major part the lands settlement policy of this Government and it was surely not unnatural in those circumstances to go to Mr. Williams when I thought that the policy of the Government was being departed from or was about to be departed from.

Apart from the actual information communicated by me to Mr. Williams, the great

part of my statements to him consisted of opinions and suspicions held by me and of inferences I drew from such information.

The other particulars of my alleged misbehaviour include the charge that I made complaints in a clandestine manner, concerning the administration of the Department of Public Lands, whereas my complaint should have been made to—

- (i) His Excellency the Governor; and/or
- (ii) The Cabinet; and/or
- (iii.) The Honourable the Premier; and/or
- (iv.) Parliament by way of a report.

The conduct so charged against me is then summarised into the charge that I "systematically deceived the Government and Parliament and failed in (my) duty of loyalty to Her Majesty and Her Advisers." It is then claimed in the statement of the cause of my suspension that the facts and inferences therein charged established that I was guilty of a breach of the trust and confidence reposed in me as permanent head of My Department and of treachery to Her Majesty's Ministers and that generally in relation to my office my conduct was unconscionable and unjustifiable.

Before dealing with the substance of these charges, I am bound to observe that they are framed in language which can only be described as consisting of abusive epithets.

The essence of the charge made against me is that the failure of me in the discharge of my duty consists of my not reporting my opinions and suspicions to either the Executive Government or to Parliament. This is the charge which I am concerned to deny most emphatically and which I so reject.

If Parliament condemns me for a breach of my duty because of my failure to report these matters to either the Government or Parliament its verdict will inescapably condemn also the Honourable the Premier and the mover and seconder of the motion for my dismissal, all of whom were undoubtedly aware either of part or of the whole of the matters which formed the subject of my correspondence with Mr. Williams, and none of whom reported them to this Parliament.

It was proved in evidence before the Royal Commission and not denied in any particular by the Honourable the Premier that in July, 1955 he was fully informed by the full executive of the A.W.U. of the matters which I had discussed with Mr. Williams. The undisputed evidence of Mr. Bukowski and Mr. Williams is that he expressed concern at the matters so reported to him and promised a top level enquiry. Parliament also knows that, immediately after speaking in such strong terms to the A.W.U. Executive, he told the former Minister for Lands that there was nothing in their complaints and that they consisted only of bar-room gossip.

Parliament also knows that the Premier did not, in fact, take any steps whatever to have the matters properly investigated and, moreover, that in the following month, when they were the subject of debate in this House, he dismissed them as baseless, and malicious gossip. Not only did he do that but Parliament also knows that he corroborated and supported Mr. Foley in his false statement to the House that no application had been made by the lessee of "Lundavra" for concession under the Land Act.

It was proved before the Royal Commission by the very documents themselves that such an application had been made by the lessee and that it was the Premier himself who brought this application up to Cabinet and set in motion the investigation of such claims for special consideration.

None of these facts can be refuted and the inescapable conclusion therefore is that if I failed in my duty to report these matters to Parliament, not only is the Premier guilty of the same offence, but also the further offence of giving false information to the House and of deceiving it.

It is not unworthy of comment at this stage that, although invited to enter the witness box at the Royal Commission, where he would have been subjected to cross-examination, the Premier did not avail himself of the opportunity.

So far as the mover and seconder of this motion are concerned, it is equally clear from their own written statements to the Royal Commission that I did communicate to them my grave suspicions of the course of conduct in which Mr. Foley was engaged in relation to "Lundavra" and that I did this in the latter part of 1954, before communicating with Mr. Williams or taking any other action whatever in the discharge of my duty. Their own written statements prove that they received my complaints without adverse comment so far as I was concerned and that they subsequently reported the information to the Honourable the Premier.

It is also proved beyond doubt that the Honourable the Premier took no action upon the receipt of this information.

From these undisputed facts, it emerges clearly that the Premier and two Cabinet Ministers were made aware as a result of my action in 1954 of my opinions and suspicious concerning one of the major matters, the subject of my later correspondence with Mr. Williams, and that, at a later date, the Honourable the Premier was made aware of the substance of the other matters involved in that correspondence.

Two conclusions are to be drawn from this—firstly, that there was no necessity for my directly reporting the same matters to the Executive Government since they were already aware of them, and, secondly, that if I did report them, the result would have been exactly the same in that the information

which I would have been able to lay before the Government would have been, at that time, no more factual than what the A.W.U. Executive was able to lay before the Premier.

Therefore, to attempt to base my guilt upon my alleged failure to report these matters to the Executive Government is exposed as a sham and hypocritical attempt to justify the Government's desire to liquidate me.

The attempt to declare me guilty of my failure to report to Parliament is equally insincere. In the existing state of my knowledge at that time I could not have put before Parliament any facts or any evidence in the legal sense which would have supported my opinions and suspicions.

Placed in the situation in which I was, I am certain that all reasonable members will agree that any attempt by me to directly report these matters to either the Government or Parliament would have had no other result than that the action now being taken against me would have been taken then.

If anybody is guilty of deceiving this Parliament in these matters it is the Honourable the Premier and the former Minister for Lands. I exempt from this charge the mover and the seconder of the motion, since they did communicate the information they had received from me to the Honourable the Premier. Whatever my duty to report these matters to Parliament and whatever my duty of loyalty to Her Majesty may be, it cannot be denied that the Premier was under an even greater and higher duty.

I did not convey, as has been alleged here, that I thought that the present Minister for Lands could be purchased by appointment to the Land Court. Had he resigned from the Government, as he said he would if certain of my suspicions came to pass, it would not be the first time that a member of Parliament had been appointed to the Land Court.

I do not expect that my defence here will succeed but I am absolutely certain that it will succeed in the eyes of the public.

I pass now to refuting the charge of treachery to Her Majesty's Ministers and of unconscionable and unjustifiable conduct, and in doing so I simply reiterate the statement made by me earlier in this speech that there is a time when the virtue of loyalty to Her Majesty's Ministers can be a cloak not merely for corruption but for more serious dereliction of duty.

In the circumstances as known to me at the time, and as subsequently proved before the royal commission, I acknowledge that that time had passed before I communicated any information to Mr. Williams. Find me guilty of treachery to Her Majesty's Ministers if you will, but neither that nor anything you may do will make me guilty of any breach of the higher loyalty which I at all times owed to the public of this State.

I dispute the allegation that I should have made my complaints to His Excellency the Governor by pointing out simply that as a

constitutional Governor, His Excellency's duty would have been simply to refer my charges back to the Executive Government so my defence to that charge is covered by my defence to the charge based upon my alleged default in relation to reporting to the Executive Government. In fact, the head of that Government was at all times aware of these matters and it is farcical in the highest degree to suggest that if he had heard them from me directly instead of indirectly his reaction would have been different in any way at all.

I have already been condemned without a hearing by the majority of the members of this Parliament. In those circumstances, and being aware as I am that the vote for my dismissal will be made on Party lines, I recognise the futility of my appearance here.

By the vote of that majority of the Members, I know that I will be discharged from my office. By so voting, Parliament will not dishonour me but will dishonour itself.

Opposition Members: Hear, hear!

MR. SPEAKER: You may retire.

MR. VIVIAN ROGERS CREIGHTON.

MOTION FOR REMOVAL FROM OFFICE—

RESUMPTION OF DEBATE.

MR. NICKLIN (Landsborough—Leader of the Opposition) (2.39 p.m.): As the Secretary for Public Lands and Irrigation said when introducing this motion—the happenings in Parliament today are unprecedented in its history. They are also particularly significant because we have Parliament carrying out one of its functions under the Constitution. And that function should be carried out in the proper manner. We as individual members of this Chamber are sitting here in a judicial capacity on one of the officers of the Crown; that being so, any decision we may make should not be on party lines.

Every hon. member should vote and speak according to his judgment and his conscience. That is the only way in which fair consideration can be given to the question before us today. Judging by what has appeared in the Press and evidenced in this Chamber today, this question is not going to be decided on that basis. It is going to be decided on a Party basis. More shame on this Parliament for doing that!

Government Members interjected.

MR. NICKLIN: The interjections from hon. members opposite show that they have made up their minds. The bringing to the Bar of the House today of Mr. Creighton is nothing but a political farce. Labour has been responsible for many political farces, but no farce as callous or as indecent as we have witnessed today has ever been staged before.

Let us look at the facts. Cabinet decided to dismiss Creighton, and that decision was endorsed by Caucus. There was only one

solitary dissentient with the moral courage to obey his own conscience. This in itself indicates just how restricted is the freedom of expression within the Labour Party. It demonstrates the soul-destroying fear tactics that permeate the whole of the Labour Party structure in both the political and industrial sphere, and, I venture to say that there are many hon. members opposite who, if they did not fear retaliation or vilification as "traitors" or "scabs," would cross the floor of the House on this motion. After the Caucus decision there was intense and hostile public reaction.

Opposition Members interjected.

MR. SPEAKER: Order! I am sure the Leader of the Opposition does not desire any assistance from hon. members on my left. Out of respect for their Leader they should allow him to make his speech without interruption. I also ask hon. members on my right to assist me.

MR. NICKLIN: After the Caucus decision, there was intense and hostile public reaction which must have caused some alarm even to our self-styled Labour gods. So they proceeded to dispense justice in the Labour fashion. They decided to bring Mr. Creighton to the Bar of the House to state the case in his own defence.

Mr. Walsh: We did not decide to bring him here. You are wrong there. He was invited.

MR. NICKLIN: Mr. Creighton would never have come to the Bar of the House to address us unless the Government had issued the invitation to him to come here. If we on this side of the House had moved the motion to bring Mr. Creighton to the Bar, we would not have found the Government members supporting the motion. Do not let the Government deny that Creighton was brought here.

Indeed a laudable act of an institution professing to uphold the principles of British justice if, and I repeat "if," the adjudicators were approaching the case with an open mind, but unfortunately this matter is not going to be approached with an open mind, particularly by the majority of hon. members on the opposite side. The Premier has said that there is no reason why the vote should be on other than Party lines. It gives an indication of the attitude adopted by hon. members opposite. The matter has been decided in Caucus. The hon. member for Hinchinbrook in his own inimitable fashion made a rather staggering statement a night or two ago when he said, "Let him" referring to Mr. Creighton, "state his case on Thursday; he will get the sack." That is what the hon. member for Hinchinbrook said, and it typifies the attitude of hon. members opposite. Mr. Creighton has been prejudged and foredoomed as evidenced by his appearance at the Bar of the House today and instead of being, as it should be, a great example to the world of the dignity and

scrupulous equity of British justice, it was nothing more than a shameful farce, a mockery of British justice, and an eternal blot on the record of this Government.

Mr. Speaker, the Secretary for Public Lands and Irrigation in initiating his motion this morning introduced all sorts of irrelevant arguments in an endeavour to bolster up the case he was making against Mr. Creighton, and he even had the audacity to endeavour to tie the Opposition with shameful affairs in regard to land leases of this State. He intimated that we apparently had some knowledge of the matter. The Minister must not forget that we on this side of the House tried hard on many occasions to bring this thing to a head and have it dealt with by this Parliament. However, the Government appointed a Royal Commission. The Minister did not add to his stature by introducing his arguments to pin on the Opposition—

Mr. Hilton: It was a fact, and you know it.

Mr. NICKLIN: That is a lot of nonsense. If the Minister can bring any evidence into this chamber that will tend in any way to discredit the Opposition it is his duty to do so, and in fact, I invite him to do so.

Mr. Hilton: You cannot interpret the facts I gave. I did not do it, Mr. Creighton did.

Mr. NICKLIN: The Minister cannot get out of it by remarks like that. His twisting and turning will not do him any good. If he has anything on any member on this side of the House let him produce it.

Mr. HILTON: I rise to a point of order. At no stage this morning did I impute the slightest degree of dishonesty to any hon. member opposite. I refute the charge the Leader of the Opposition now makes against me. All I intended to convey was the deplorable attack without foundation, on hon. members of the Opposition as well as members of this Government. It is to be regretted that the Leader of the Opposition did not understand my meaning.

Mr. SPEAKER: Order! I hope the Leader of the Opposition will accept the denial of the Minister.

Mr. NICKLIN: I would be glad to accept his explanation, but it is entirely different from what I and other hon. members heard him say.

Mr. WALSH: I rise to a point of order. You, Mr. Speaker, definitely asked the Leader of the Opposition to accept the denial of the Minister but he has refrained from doing so.

Mr. SPEAKER: Order! I ask the hon. gentleman to accept the Minister's explanation; I ask him now to accept his denial.

Mr. NICKLIN: I thought the Minister's remarks were in explanation, but if they were a denial, I accept his denial, but I challenge

the Minister to justify the imputation he made this morning against members of the Opposition.

Mr. SPEAKER: Order! He denied he made any accusations. I ask the Leader of the Opposition to accept his denial.

Mr. NICKLIN: I do.

Let us now examine the whole of the circumstances surrounding this motion. I propose to examine them from all angles, which is the only way any hon. member can arrive at a conclusion before casting his vote.

Mr. Walsh: I fully agree with that.

Mr. NICKLIN: Then why does not the Treasurer vote according to his conscience instead of as his party dictates?

Let me first refer to the relevant portions of the Acts covering this matter, which led to Mr. Creighton's being brought before the Bar of the House.

Mr. Walsh: He was not brought before the Bar of the House.

Mr. NICKLIN: He got there, anyhow, irrespective of whether he was brought there or came there.

In the Lands Acts Amendment Act of 1931—

Mr. Walsh: That was introduced during the Moore Government's time.

Mr. NICKLIN: More credit to them!

Under that Act the Land Administration Board was set up. It consisted of three persons, one of whom was Chairman. In due course, Mr. Creighton was appointed Chairman of that Board. Section 15 of the Act deals with the conditions attached to the holding of office by the members of the Board. It says that they shall hold office during good behaviour and shall not be removed therefrom unless an address shall be presented to the Governor by the Legislative Assembly. That is the action that is being taken here today. The section says further that the ground for such removal shall be proved misbehaviour or incapacity. I emphasise the words, "proved misbehaviour or incapacity." Before we cast our votes we must decide whether Mr. Creighton has been proved to have misbehaved himself or to have been incapable of holding his office. The Minister admitted that the Public Service Acts do not apply to Mr. Creighton, or to the other members of the Land Administration Board, in the same way as to ordinary public servants. That is one thing on which the Minister and I agree.

The Minister referred to the action to be taken by the Legislative Assembly before any member of the Board can be dealt with. It is the responsibility of this Parliament to deal with any member of the Land Administration Board who has been proved guilty of misbehaviour or incapacity.

The Government, after long consideration, as the Minister said this morning, have come to the conclusion that Mr. Creighton has been guilty of a misdemeanour. However, is it a proved misdemeanour? In examining that, it is necessary to refer to the statement of the cause of Mr. Creighton's suspension, which the Minister tabled yesterday.

It is abundantly clear that the suspension, or removal from office, of a member of the Land Administration Board can be effected only when one or both of the grounds provided by the 1931 amending Act is or are existent. These grounds of dismissal are proved misbehaviour or incapacity. In this case I think there is no question of Mr. Creighton's capacity or ability. He was suspended from office on 11 April this year on the ground of misbehaviour. In accordance with the statement of suspension delivered to him and the cause of suspension laid before the House, it is incumbent on the Government to make an address to the Governor through the House for the dismissal of Mr. Creighton on the ground of misbehaviour. That has been done and the motion is now being debated.

After deep consideration I give it as my firm conviction that Mr. Creighton is now being viciously victimised by the Government because he had the audacity to break through their code of fear and intimidation and take action to expose a corrupt member of their fold. That was the result of Mr. Creighton's action. He brought to light corruption of a Minister for the Crown, corruption in the high circles of Government. In such circumstances surely any indiscretions of his should be overlooked and, instead of being dismissed, he should be given credit for bringing to light something unsavoury and unsatisfactory in the official affairs of the State.

The Minister made much of ethics this morning. True, Creighton's actions may not have been in accord with the accepted ethics of his and like offices, but do they amount to misbehaviour sufficient to warrant the savage penalty that the Government now seek to impose on him? I say definitely not.

Members of the Land Administration Board hold office during "good behaviour" and are liable to dismissal for "misbehaviour." When does good behaviour cease and misbehaviour begin? Obviously, by Labour reasoning, good behaviour exists while servility and blind obedience exist, but misbehaviour commences when any act is committed which, however right in the ultimate, or however much in the best interests of the State and the people, is nevertheless of such a nature as to place the Labour Government in political danger. That is an important consideration. That is Creighton's crime and he is to meet his punishment at the hands of a malevolent Government, which includes the member exposed as corrupt and which itself stands

condemned as a Government which condones corruption or permits it to flourish unchecked. The hon. member who was found guilty took his place in Caucus when the charge against Mr. Creighton was being discussed. He is not present today and should not be.

Where, by all the standards of decency, is the justice in this state of affairs? Let me remind hon. members opposite of the simple but telling biblical quotation—

"He that is without sin, let him first cast a stone."

Similar circumstances exist today. In the first instance, the accusers, being themselves smitten with conscience as to their own sins, melted away so that none remained to pursue their accusations. Of course, that will not happen here. The hon. members of the Government, aware as they must be of their own sins of omission or commission, are utterly devoid of conscience and are apparently today bent on perpetrating a deed which will befoul the records of our Parliamentary system for all time. That is what will happen if they carry the motion to sack Creighton. What are Creighton's so-called sins, his motives for committing them, and their outcome as they affect society as a whole? He carried on a correspondence, thought by him to be in the strictest confidence, with Mr. Cecil Wallace Edgar Williams, a northern union official of the A.W.U., about departmental matters. As Mr. Creighton said at the Bar of the House, he had been associated with Mr. Williams on that royal commission which largely formulated the basis of Government land policy today. That correspondence was entered into by Creighton, I believe, with the idea of endeavouring to clean up something that was unsavoury in the administration of the Department of Public Lands. In that correspondence he said many things about the actions of the then Minister, the hon. member for Belyando. It can be said, possibly with some justification, that such divulgence of information to a person outside the department, the Government and Parliament, constituted a serious breach of the code of ethics pertaining to the office of Chairman of the Land Administration Board. I say "code of ethics" in the sense that a person holding Creighton's position is not bound by the same statutory rules of behaviour as apply to public servants. To judge whether these actions amounted to "misbehaviour" in the terms of the 1931 Amending Act the elements of motive and result must be considered.

Mr. Creighton has been suspended from office on the ground of misbehaviour but no details of alleged misbehaviour were supplied to him until the last day or so.

Mr. Walsh: Would that not be correct procedure?

Mr. NICKLIN: When you suspend a person for misbehaviour surely he is entitled to know exactly what was the misbehaviour he was guilty of, particularly when he holds a high and important post under the Crown.

Mr. Walsh: You overlook the fact that Parliament is the only authority to deal with the situation.

Mr. NICKLIN: I do not overlook that.

Mr. Walsh: Apparently you do.

Mr. NICKLIN: I do not overlook that.

Mr. Walsh: What right would we have to hand out a statement to Creighton about his offence?

Mr. NICKLIN: It is rather strange to hear the Treasurer referring to the rights of Parliament. I say Parliament should exercise its full rights in this case but the Government have done so because they prejudged him. The Party prejudged him. If he is sacked it is not through the vote of the hon. members of the Chamber. He is going to be sacked on a Party vote. I guarantee that there are many hon. members on the Government side who will vote the Party line with a great deal of reluctance, but unfortunately the iron rule of Labour is such that they have to do as they are told or get out. Many hon. members opposite will be very unhappy when they cast their votes. Let me continue. His duties, in the words of the statute were to administer the land laws and effectively control matters relating to land settlement, prickly-pear lands, State forests, and national parks. Has he, by his actions, failed in these duties, and thereby been guilty of misbehaviour? There can, I venture to say, be no question of Creighton's capability, nor, in fact, is this questioned by the motion before the House. It can, therefore, be assumed that Creighton at all times was perfectly efficient in the performance of his duties as dictated by the statute. His failing, if such it can be called, was this: He served under a Minister of the Crown whose actions he had good cause to believe were biased, contrary to the professed policy of the Government of the day, and of such a nature as to confer benefit on certain persons or bodies to the detriment of others or to the detriment of the Crown estate. Creighton was faced with this dilemma: He believed his ministerial superior to be corrupt. What should he do?

Mr. Moore: His belief was wrong for a start.

Mr. NICKLIN: The Minister has evidently not read the findings of the Royal Commissioner.

I confess that I believe that Creighton's thoughts were principally for the good of the Labour Party and its preservation in office as the Government of this State. I have reason to believe that, because of the method he adopted in endeavouring to expose the corruption that he believed existed—that is through Labour Party channels. However rudely his illusions must have been shattered, it must be conceded that the motives prompting his actions were for the maintenance of honest government be it Labour or any other.

What avenues were open to Creighton to disclose what he honestly believed to be—and I credit him with honest belief—blatant corruption on the part of his Minister? To any person who has followed in the Press or read the actual transcript of the evidence of the commission, it is evident that Creighton's loyalty to the Minister must have been strained to the breaking point. What could he do?

Mr. Walsh: Can the hon. gentleman honestly say that he has read all the evidence?

Mr. NICKLIN: No. Has anybody read read all the evidence?

Mr. Walsh: Yes, I can state that I have read every line of it.

Mr. NICKLIN: I have read the report. It is impossible to read all the evidence taken before a royal commission. (Government interjections.)

Mr. SPEAKER: Order!

Mr. NICKLIN: In order to discuss this matter properly one has to read the commission's report. It is not necessary to read every word of the evidence taken during weeks of sittings. I should think that very few not connected with the case have read the evidence.

Mr. Walsh: I was prepared to read it.

Mr. NICKLIN: It must never be forgotten that Creighton took these steps to communicate his suspicions of the Minister and to endeavour to have the matter rectified—

1. He approached two members of the Land Court, Messrs. Lucy and McLean, to voice his suspicions; and

2. Furthermore, and more important, he communicated his suspicions of the Minister to two members of the Government and Ministers of the Crown.

Mr. Gair: On one case only.

Mr. NICKLIN: That was one case.

Mr. Gair: What did the Commissioner say about that case in his report? Have you read that?

Mr. NICKLIN: It must be admitted that Mr. Creighton communicated with two Ministers, and the Ministers admitted that this morning. The Secretary for Labour and Industry read his submissions to the Commission. From Creighton's interview with these persons, he quite reasonably concluded that they were in sympathy with his convictions regarding the Minister, but what eventuated from these approaches?

Mr. Hilton: That is not correct.

Mr. NICKLIN: That is what he said.

Mr. Hilton: He did not even say that.

Mr. NICKLIN: He communicated his suspicions to two Ministers of the Crown, and he was told to put his suspicions in

writing for investigation. He would naturally conclude that some notice was taken of what he said, as he, a high officer of the Crown, was pointing out something that he did not think was right in regard to a very important phase of Government activity.

From his interviews with these persons what eventuated? Exactly nothing. Having taken the course of action in communicating with these persons to no avail whatever, what other courses were reasonably open to Creighton?

I now turn to the Statement of the Cause of Suspension which states that "any complaints which he desired to make should have been made to—

- (i) His Excellency the Governor; and/or
- (ii) The Cabinet; and/or
- (iii) The Honourable the Premier; and/or
- (iv) Parliament by way of a report."

Let us examine those avenues by which it is suggested Mr. Creighton should have communicated his suspicions.

What would have been the outcome if Mr. Creighton had approached His Excellency the Governor? It is quite obvious that that would have been fruitless, as His Excellency, the head of a Sovereign State, must act on advice only.

Mr. Walsh: He is not bound to act on advice only.

Mr. NICKLIN: It would have been referred immediately by His Excellency to either the Premier or Creighton's minister.

Mr. Walsh: He is not bound to act on advice only.

Mr. NICKLIN: The inquiry or reference by His Excellency would have met with the same plausible and glib answers given by the Premier and the hon. member for Belyando on previous occasions, and the result would have been no action against the Minister, but proceed forthwith to lop the head off that impertinent upstart, Creighton, who dares to question the questionable integrity of the Labour Government and its hon. ministers.

Mr. Walsh: That is a direct reflection on His Excellency the Governor.

Mr. NICKLIN: If the Treasurer thinks that is a reflection on the Governor, he can take action against me.

Mr. Walsh: The Leader of the Opposition ought to have more sense.

Mr. NICKLIN: I am stating facts and I am adopting a reasoned attitude in regard to this matter. That, I submit, would have been the result of any approach to His Excellency.

Let us look at the second course of action it is suggested was open to him, that he could have approached the Premier personally. Keeping in mind the futile nature of Creighton's previous approaches to the Secretary for Labour and Industry, the

Secretary for Public Works and Housing and Messrs. Lucy and McLean, what could he have reasonably anticipated would have been the outcome of his approach to the Premier? Hon. members should also bear in mind that it was the Premier who, on 12 July, 1954, in Cabinet, raised the issue whether the special consideration requested by Mr. Cameron of Lundavra should be given.

Mr. Gair: I did not.

Mr. NICKLIN: That will be found in the evidence before the Royal Commission. The Premier quoted Mr. Foley on this subject with evident approval when he said in this House on 15 September, 1955, "The Minister has already told the House that up to the present no application in regard to that lease has been received." Hon. members will find that on page 349 of "Hansard."

Mr. Gair: It is still all right.

Mr. NICKLIN: Here is the Premier on 12 July, 1954, requesting special consideration for an application by a Crown lessee, and just over one year later, when the matter is questioned, maintains that no application was made.

Mr. Gair: It is untrue.

Mr. NICKLIN: Hon. members are well aware—

Mr. GAIR: I rise to a point of order. It is evident that the Leader of the Opposition is speaking from a brief away from the facts of the case. It is not true that I asked for any special consideration for Cameron at all, and to say so is a deliberate lie.

Mr. SPEAKER: Order! The hon. gentleman will have to withdraw the term "deliberate lie."

Mr. GAIR: All right, I will withdraw. It is a deliberate untruth and only a reiteration of a statement that has been made by Mr. Creighton himself. All I did was to take a letter I had received from Mr. Cameron—it was not an application but a letter—complaining that he should receive some special consideration in view of the fact that he had spent a good deal of money in the development of his lease.

Mr. SPEAKER: Order! The Leader of the Opposition will accept the denial of the Premier in regard to that statement.

Mr. NICKLIN: I will accept the Premier's denial but I wish to quote the relevant evidence and I quote from page 95 of the report of the Royal Commission and refer to these words—

"The matter was raised in Cabinet and Exhibit 90 was the result. That document is as follows—'Cabinet—12th July, 1954: Discussion was raised by the Hon. the Premier on the question of whether special consideration requested by Mr.

K. B. Cameron regarding his aggregation of leases, should be given because of developmental work of an unusual quantity with high value, commenced some years ago and still proceeding at "Bullamon Plains" and "Lundavra",."

That is exactly what I said. I am not speaking from any brief which is not correct, but a brief that can be verified by the evidence before the Royal Commission.

Mr. Gair: You admitted you had not read the transcript of evidence.

Mr. NICKLIN: Let me proceed. Hon. members are all well aware of the intense ill-feeling created by the prospect of the granting of Cameron's application and I put it to you, Mr. Speaker, in all seriousness, that the Premier's conduct in this regard clearly indicates that the Premier was highly desirous of hiding something, and that that something was a definite irregularity of which he was well aware concerning Cameron's application.

(Time, on motion of Mr. V. E. Jones, extended.)

Mr. NICKLIN: I thank the hon. member for Callide and the House for the courtesy extended to me. I am cognisant of the fact that the Commissioner found nothing corrupt in the dealings with Lundavra on the evidence offered to him, but I can in no way excuse the conduct of the Premier and the Minister in this regard. I repeat that I consider that the Premier had something to hide when, with the full knowledge of this recommendation for special consideration of an application by Cameron in regard to Lundavra he virtually denied in this House that such application had been made. He merely repeated the Minister's denial. Furthermore, how did the Premier treat the deputation from the A.W.U. and the allegations made by them concerning the Minister? He treated these matters with utter disdain and as of no importance, although they were in fact allegations of the greatest seriousness, not only from their very nature, but also because they were brought before him by a body that is a powerful force, both politically and financially, in the Labour movement. He did not seriously confront the Minister with the allegations made by the A.W.U. but, according to the transcript of the evidence, privately told him, "All they have is bar-room gossip."

That was exactly the attitude that the Premier so arrogantly displayed in the House when, on 15 September, 1955, he airily disposed of an Opposition motion to bring Mr. Bukowski before the Bar of the House for examination on allegations that he had made in "The Worker." On that occasion the Premier went so far as to accuse me of misusing the privileges of Parliament in bringing such an important matter before the House. However, the

action of the Opposition on that occasion has been more than justified by the findings of the royal commission.

Mr. Hilton: You would not have debated your motion had the Premier not called "Not formal." He made you debate it.

Mr. NICKLIN: He did not make me debate it.

Mr. Gair: I made you debate it.

Mr. NICKLIN: The Premier did not make me debate it. He should have been pleased to have the matter cleaned up. If the Premier wanted a debate, he certainly got it.

Mr. Gair: You did not want it.

Mr. NICKLIN: I did want it. That is why I moved the motion. I wanted the thing cleaned up and that was the quickest way to clean it up. As I say, the action taken by the Opposition at that time has been more than justified by what has happened since.

The Premier had had relayed to him the information given by Creighton to the hon. members for Charters Towers and Carnarvon, but what did he do in the face of information given by two responsible members of his Cabinet? He did nothing whatever. As a matter of fact, he continued the hon. member for Belyando as a member of his Cabinet, and also refrained from mentioning to him that two responsible members of the Cabinet had given him information seriously reflecting on the honesty and integrity of the Minister. Is that not a remarkable course of conduct on the part of a Premier of a State? Was he shielding a Minister whom he knew to be corrupt, for the very simple reason that the Minister's conduct paid handsome dividends for the Labour Party and assisted materially in keeping the Labour Government in power?

All these questions and probabilities must have activated Creighton's mind. As a public servant of long standing, he must have realised what would be the fate of an officer who dared openly to endeavour to raise some matter that was likely to bring the Labour Government into disrepute. He must have realised that he would have been ground underfoot by the ruthless political machine of the present-day Labour Party. There can be little doubt that, if Creighton had taken the venturesome step of communicating his suspicions of the Minister to the Premier, his representations would have met with exactly the same fate as those of the A.W.U. delegation. He would have been warned and told in no uncertain language to keep his place and to mind his own business. The only effect of such an approach by Creighton to the Premier would have been, as he said to-day, that he would have had his head chopped off then instead of now, which is undoubtedly what will happen as a result of the vote today.

It must be conceded that, in his personal interests, Creighton's mind would have repulsed the notion of approaching the Premier on the Minister's abuses and dereliction of duty. The third method of approach was to the Cabinet. The only means of doing that would have been through his Minister, who was the person suspect and that would have been impracticable. Moreover, the communication of his suspicion to two Cabinet Ministers bore no fruit, so that course may be ruled out.

It is suggested that Creighton could have approached Parliament by way of a report. Presumably he should have voiced his complaint in the annual report of the Department of Public Lands or in a personal report. The annual report to Parliament is signed by the three members of the Land Administration Board and submitted by them to the Minister, who tables it. In the first place, it must be remembered that the report is submitted by the board and not by the Chairman individually. Regulations under the Land Acts Amendment Act of 1931, which constituted the board, were published in the "Government Gazette" of 19 March, 1932. They included this provision—

"The decision or recommendation of the majority shall be the decision or recommendation of the board."

Hence the embodiment of Creighton's complaints and suspicions in such a report would have necessitated the concurrence of the other two members of the board, and I ask hon. members to reflect on the possibility of that event. As we all know from the evidence, there was considerable friction between the members of the board. Creighton seems to have regarded Mr. Bergin as an incompetent "stooge." There would have been no possibility whatever of gaining the consent of the other members of the board to the inclusion of such matter in the annual report. Equally improbable is the notion that Creighton would even have put the matter to them.

In the second place, any such report must be submitted to the Minister to be endorsed by him before being tabled in Parliament. Would any matter of complaint or suspicion have passed the keen eye of the Minister concerned? Certainly not!

If any other form of individual report is contemplated the question must be asked: how could Creighton legitimately get such a report through to Parliament? That was not explained by the Minister when he gave his reasons today. There would have been no avenue whatever except through his Minister.

Mr. Aikens: It wouldn't have hit the ground.

Mr. Nicklin: As the hon. member interjected, it would not have hit the deck. Nothing further need be said on that point.

In all cases in which it has been contended that Creighton should have employed methods other than the one he adopted, it must be

remembered that he had nothing but a firm conviction in his heart that the Minister was dishonest, a conviction engendered by the highly suspicious conduct of the Minister over a long period and subsequently proved to be well founded. There is no doubt in my mind that if Creighton had pursued any of the other avenues suggested he would never have been given the opportunity to prove his suspicions. The plausible tongue of the Minister and the ready, sympathetic ears of his Cabinet and Government colleagues would have ensured that.

It might be suggested that Creighton should have approached the Opposition Parties, but what would have been the fate of such a move? The Opposition Parties would have been accused of playing politics and their representations, however sound, would have been ridiculed as political propaganda. We have already been reminded of what happened when we tried to clean this matter up before. We moved a motion that Bukowski be brought before the Bar of the House.

Mr. Hilton: And you were not prepared to debate it.

Mr. Nicklin: Not wishing to play politics, we were willing to let that motion go through without debate and this afternoon we are accused of having been frightened to debate it. I quote that as an instance of what would have happened if Creighton had made any approach to the Opposition. Imagine what pressure would have been brought against him personally as an outcome. Sooner or later he would have been placed in the position he is in today. Therefore we cannot support that contention either.

After considering the four methods of approach contained in the tabled statement of the cause of suspension it will be seen that it would have been completely futile for Creighton to use any of these avenues. Where could Creighton or any reasonable man in his shoes turn? He had a personal friend who was a member of the powerful A.W.U., an organisation rapidly gaining ascendancy in Labour political circles. I believe that Creighton was concerned about the future of the Labour Party when he made the approach through Williams. What has he got for his concern for the Labour Party? Nothing but the axe. In approaching Williams he thought that the Labour Party would seize on the opportunity to purge from the Government ranks not only those not politically desirable but also those morally corrupt. This was the beginning of the correspondence with Williams which has featured so much in the charges. In taking this action Creighton had the political element in mind. I am firmly convinced that the prime activating motive in his mind was to prevent further violation of the land laws in which he was steeped and to which he displayed a most profound devotion. He wished to prevent the use of the Crown estate for corrupt purposes. Nobody could say that he was not a man wedded to his job. He endeavoured to carry

out to the letter the policy laid down in the land laws of the State. We can easily imagine his reaction when he saw these land laws being brushed to one side by the Minister's acting corruptly.

At page 129 of his report the Royal Commissioner said—

"As I early said I am not concerned with Mr. Creighton's conduct unless it was corrupt conduct and, however misguided, however extravagant, or however wrong his correspondence and conduct may have been, I cannot persuade myself that it amounted to corrupt conduct in respect to any dealings with Crown leaseholds."

Therefore Creighton has been found guilty of no offence but, at the most, merely of some form of indiscreet conduct.

I believe that primarily he was activated by a desire to do good and the methods he employed were not in breach of any statute, but however indiscreet they were this was outweighed by the results of his endeavours which disclosed corruption at ministerial level. In the final analysis Creighton's actions have benefited the people of the State and it is deplorable to contemplate that the representatives of those who have so benefited should display such inhuman vindictiveness as is contemplated today.

In all the circumstances I cannot do other than vote against the motion.

Mr. AIKENS (Mundingburra) (3.35 p.m.): So that history will have a complete record of this shocking business I propose to deal first of all with the circumstances that led up to the disgraceful scene we witnessed here this afternoon with honourable members of the Government almost openly jeering at Mr. Creighton as he stood at the Bar of the House putting his case. And I want to say this: most of the people of Queensland with me are sickened at the slobbering hypocrisy that runs like a broad red streak through the whole of the proceedings that led up to the dismissal of Mr. Creighton—because he has already been dismissed. The carriage of this motion by Parliament with the Labour Government majority will be a mere formality.

Let us go back and find out what led up to his dismissal. I am not going to digress too far, Mr. Speaker, or try your patience or tolerance. We all know that some time ago there occurred in the Labour Party a particularly violent and vicious open split between the Grouper faction of the Labour Party and the Anti-Grouper faction, or, as Mr. Creighton aptly termed them, the "Santis" and the "Antis." We know that the Groupers for some time were led in Queensland by Joseph Bukowski who is now the State Secretary of the A.W.U. We know that subsequently Mr. Bukowski somersaulted and became an anti-Grouper, consequently he was eager to get as many members of the Queensland Central Executive to vote with him on what is known as the Anti-Grouper line. After the

Hobart conference when the Honourable the Premier and the Hon. the Treasurer and other members of the Queensland Central Executive did not conform to the anti-Grouper line, Mr. Bukowski decided to have with him on the Q.C.E. as many members of the Labour Party as possible, to get these delegates and others to toe the anti-Grouper line. The hon. member for Belyando who was then Secretary for Public Lands and Irrigation was the representative of the Labour Party on the Q.C.E. The screw was put on Mr. Foley—if I may use his name—to vote with the Bukowski section on the Q.C.E., particularly on the motion dealing with the lack of confidence in the Premier and his co-delegates to the Hobart conference. But Mr. Foley decided to remain with the "Santis." So by the most fortuitous circumstances Mr. Bukowski ascertained that Mr. Williams, the District Secretary of the A.W.U. in Townsville, and Mr. Creighton, were good friends; and of course to apply the screw harder, he took advantage of the information that Mr. Creighton was giving to Williams. He used it in leading articles in "The Worker," not for the purpose of clearing up any corruption that might exist in high places in the Labour Party, as he so unctuously and hypocritically told the Commission, but purely for the purpose of putting the screw on the then Minister in order to get him to toe the anti line on the Q.C.E. Had Foley decided to toe the Bukowski line on the Q.C.E., those articles would have automatically ceased. Let there be no mistake about that. The first instance of slobbering hypocrisy came from Mr. Bukowski at the royal commission when he said he was interested in exposing and crushing these allegations and rumours of graft and corruption in high places within the Labour Party. Imagine Bukowski of all people being concerned with allegations of gross corruption! For years we have heard and read in the Press allegations of graft and corruption in the matter of tickets and ballots, against high officials of the A.W.U.—

Mr. SPEAKER: Order!

Mr. AIKENS: —and against Mr. Bukowski.

Mr. SPEAKER: Order! I have allowed the hon. member to lead up to this case, but the hon. member is not in order in making remarks about Mr. Bukowski and Mr. Foley. I ask the hon. member to get on with the case of Mr. Creighton and not make allegations against any member or body.

Mr. AIKENS: I had been dealing with matters that occurred before he entered the witness box at the royal commission. Never until then had I heard Bukowski ever express concern about allegations of corruption and graft against anyone either in the A.W.U. or the Government. I think that perhaps the most despicable, detestable and contemptible statement that ever emanated from a human throat emanated from Mr. Bukowski

when Mr. Williams informed him that he had been subpoenaed to give evidence before the royal commission, and Mr. Williams told Mr. Bukowski he was reluctant to disclose the name of his informant. I think we all believe that Mr. Bukowski knew the name before that. It is apparent that Williams wanted to be loyal to Creighton. Williams wanted to respect Creighton's confidence. He did not want to betray Creighton, but Bukowski made what I have described as the most despicable, contemptible and detestable statement that ever emanated from the human throat, "Never mind about Creighton. Think only about the A.W.U. and yourself." Acting on that advice from his superior officer, Williams went into the witness box and disclosed for the first time to the outside world that his informant was Mr. Creighton and that the leading articles in "The Worker" were based on the information that Mr. Creighton was passing on to him.

Up in North Queensland where men call a spade a spade, no longer talk about one man topping off another man or pimping on another man. They now say, "He did an 'Edgar Williams' on him." If one man is going to top off another man, he states, "I will do an 'Edgar Williams' on you."

Mr. SPEAKER: Order!

Mr. AIKENS: Bukowski and Williams have gone down in history besmirched and besmattered by their betrayal of Creighton.

Mr. Gair: What about Carey?

Mr. AIKENS: Jim Carey was a gentleman compared with Bukowski.

It is obvious that the Government was just as surprised as the people of Queensland at the information that Creighton was William's informant, and it is equally obvious to all of us that, if the Government had suspected it, they would never have rushed blindly into setting up a royal commission. The royal commission would never have been held because the Government knew that Creighton knew too much. They would never, of their own volition, have taken the suicidal step of appointing a royal commission if they had known that Creighton intended to enter the witness box and give evidence against them.

We know how the royal commission came about. We know that Senator Wood made allegations in the Senate in Canberra against a man named Fleming. We know too that subsequently Senator Wood dinged on those statements when given the opportunity to go into the witness box and testify to them on oath. I know that if I made a statement inside or outside this Chamber and I was subpoenaed to give evidence in any Court in the land, I would be only too glad to give the evidence, and I would add a bit more in the witness box to what I said previously.

Mr. Power: What about the Golden Casket commission?

Mr. AIKENS: The Attorney-General did not have the guts to let me say what I wanted to say. His judicial stooge on that commission did not have the guts to let me give evidence. I was thrown out of the Golden Casket commission before I could give any evidence by the Attorney-General's judicial stooge, Mansfield.

Mr. SPEAKER: Order! I ask the hon. member to withdraw that remark and apologise to the House. It is a reflection on the Judiciary.

Mr. AIKENS: Very well, Mr. Speaker. I do as you suggest.

Mr. SPEAKER: I ask the hon. member to withdraw that remark and apologise.

Mr. AIKENS: Very well. I withdraw and apologise. I am going to complete this speech even if I have to apologise to the Attorney-General.

Mr. SPEAKER: Order! I inform the hon. member for Mundingburra that he is not entitled to reflect on the judiciary in any way at all. He must know that, if he has any knowledge of the Standing Orders.

Mr. AIKENS: All right, Mr. Speaker. It has been said—as a matter of fact I have it here in my notes and will deal with it—that Mr. Creighton should have adopted the stupid suggestions made by the Premier or the Secretary for Public Lands and Irrigation or the Secretary for Labour and Industry and that he should have done the so-called right thing. Their conception of the right thing is that Mr. Creighton should have made his report to the Premier, or the Cabinet, or His Excellency the Governor, or Parliament, or somebody else. We all know—and I agree with what the Leader of the Opposition said and I interjected when he was speaking—that had Mr. Creighton done what the Government considered to be the right thing and made his report officially either to Parliament or the Premier or the Minister or anybody else it never, to use the vernacular, would have hit the ground.

Mr. Gair: He should have made it to Parliament.

Mr. AIKENS: If he had made it to Parliament, the hon. gentleman would have argued it on the floor and bludgeoned some resolution through the House on the Government's majority, and that would have been the end of it. He would have exonerated the Minister and everybody else from blame and he then would have dealt with Creighton and swung the axe on him. I am prepared to bet everything I have got he never would have had the intestinal fortitude to grant a royal commission on it. All this talk of Creighton having done the wrong thing by going to Williams and all this talk about Creighton having committed a heinous offence in going to Williams is so much flappedoodle and will not fool the people of Queensland. It has not fooled them up to now and will

not fool them in the future. When we came to this House on Monday we were given a copy of Mr. Justice Townley's report and his findings. I have gone through it carefully; I sat up at night to get through it. I pay a tribute to Mr. Justice Townley on his report and findings which, in my opinion, is a masterpiece of clarity and fairness. He did not use the usual tangled legal phraseology so beloved by members of the judiciary and members of the legal fraternity. He wrote a report and made findings in language that any layman with average intelligence could understand. As a matter of fact, at times I thought he was a little too generous in that he gave not only reasonable but every possible doubt to the former Secretary for Public Lands. He credited him with every possible doubt. I do not think that any Royal Commissioner sitting on a commission could have been fairer to any man than Mr. Justice Townley was to the former Minister, the hon. member for Belyando. I think that any fair-minded person anywhere who reads that report carefully will come to the same conclusion as I came to, that Mr. Justice Townley's finding of corrupt conduct on the part of the ex-Minister was absolutely inescapable. He could have reached, in my opinion, no other finding whatever. And so I pay my tribute to Mr. Justice Townley. In fairness I should say that I was not at the commission, but I pay my tribute for the fairness and the clarity of his report and findings.

Mr. Burrows: If you believed it in respect of Foley why not in respect of Creighton.

Mr. AIKENS: I know that we are not dealing with that matter. Thank goodness the hon. member is not in charge of the House otherwise he would do what the Government have done to Creighton. Off would go my head, without rhyme or reason. Thank goodness the hon. member is not Mr. Speaker. The Government who wants to hold itself up to the public of Queensland as a paragon of justice and equity set up a royal commission. Let us take the steps one by one during the progress of the royal commission. I should say, and I use the word advisedly, that the Government took one putrid step after another. When the evidence was brought forward about the allegations made by grazier Bell that the hon. member for Belyando had solicited £1,000—

Mr. SPEAKER: Order! I remind the hon. member that we are dealing with Mr. Creighton's misdemeanour. Mr. Bell's allegations did not come before the notice of Mr. Creighton. We are dealing only with Creighton and the motion moved by the Secretary for Public Lands and Irrigation.

Mr. AIKENS: I think I am entitled to prove, if possible, the hypocrisy of the Government and the representatives of the Government when, as a result of the recent

royal commission, they parade themselves as paragons of fairness and justice. I think I am entitled to prove just how fair they were. When that evidence of Bell's allegations was brought forward—and I shall not labour it, Mr. Speaker, in deference to your ruling—what did they do? They immediately sent the hon. member for Belyando on a Criminal Code charge before Mr. Hickey, sitting in magisterial jurisdiction.

Mr. SPEAKER: Order! I have already ruled that the hon. member is not in order in discussing that matter. We are dealing with the misdemeanour of Mr. Creighton and the matters contained in the motion that the Secretary for Public Lands and Irrigation has placed before the Assembly. The allegations by Mr. Bell are an entirely different matter, and the hon. member will have an opportunity of discussing them at a later date. I hope he will keep to the matter under discussion.

Mr. AIKENS: I know you have not, but your ruling would create in the mind of anybody who may have seen my notes the feeling that you have seen them also. I certainly have some comments in them on Mr. Hickey, but they can wait.

Mr. SPEAKER: Order!

Mr. AIKENS: The man who dragged the magistracy into the cesspit.

Mr. SPEAKER: Order!

Mr. AIKENS: Thank goodness, by his report and his findings, Mr. Justice Townley enhanced the prestige and the dignity of the judiciary of Queensland.

I have been asked by interjection, to say quite frankly what punishment I would inflict on Mr. Creighton. Of course, I am not a member of the Government although I could make a much better fist of it than some of them.

Mr. Gair: You did not do a very good job when you were in the railways.

Mr. AIKENS: If the Premier could do as well as I at the ballot box, he would be doing all right. When all is said and done, the people are the final judges.

The only sin of which I can find Creighton guilty is extreme foolishness in writing anonymous letters to be passed on to a man whom he knew, or should have known, he could not trust. The only punishment I would inflict on Creighton would be to send him to a psychiatrist, and perhaps to Goodna for a while to ensure that never again would he trust a man like Bukowski or Williams.

Now let us have a look at another matter. I take it I am entitled to deal with the Government's legal representation at the royal commission, because its representative cross-examined Creighton, just as he cross-examined other witnesses, and I am entitled

to expose the hypocrisy of those who control the government of this State. Quite recently we had another royal commission, the Redcliffe Commission. I will not labour it, because Creighton was not concerned in it. I merely mention it in passing because another very prominent member of the Government was concerned in it. On that occasion the Government sent to represent them a barrister named McCawley. I happen to know a little about Mr. McCawley because I was a young man working in Western Queensland when the late Tom McCawley, his father, died and, with many other unionists throughout the State, I subscribed a few shillings to a fund to complete the education of the present Mr. McCawley. His anti-working class bias shows that it was the most stupid thing I ever did. However, it has been said that Mr. McCawley was there on that occasion representing the Government. Very well, let us accept that assurance from members of the Government. Normally, if he were representing the Crown, would it not be his duty to fairly and decently do all he possibly could to discover the truth and to have the finger put on the guilty person? He certainly did not do it in the Redcliffe inquiry; he got right down in the gutter there.

Mr. SPEAKER: Order! We are not dealing with the Redcliffe inquiry.

Mr. AIKENS: I am using it purely as a simile. He attacked a member of the Government on that occasion and did everything he possibly could to prove him guilty of fraud and graft but the Creighton commission was an entirely different matter. There he turned a complete back somersault. At the royal commission on land scandals he did everything he possibly could to shield the member of the Government concerned. So let us be honest and frank. McCawley did not represent the Government; he represented the dominant faction of the Government and, consequently, all who were opposed to that dominant faction came under the whiplash of whatever intelligence and whatever legal knowledge Mr. McCawley possesses.

I merely mention that to show what happens when the people of Queensland—and when all is said and done they are the only people I am concerned with—read in the newspapers that Mr. McCawley represented the Crown. Mr. McCawley does not represent the Crown, or he did not at Redcliffe and he did not at the Lands Commission. He represented only the Premier's faction of the Government and he was prepared to do anything to secure a verdict in accordance with the wishes of his bosses, that faction.

Mr. SPEAKER: Order!

Mr. AIKENS: It appears that I am going to be rather circumscribed in my remarks this afternoon. Nevertheless, they will be made in this Chamber and from the public platform. Mr. Creighton said at the Bar of the House that he was concerned with the

good name of the Government and of Parliament. He may not have used those exact words but that was the tenor of his remarks. He knew, too, that all the normal avenues that have been so strenuously stressed by members of the Government were closed to him. What a farce, what a sham, what a travesty of justice, for the Government to tell the people of Queensland that Creighton could have done other than what he did to have the matter exposed! All that the Government are sour about is that the findings of the royal commission vindicated and proved to the very hilt the suspicions held by Creighton that the ex-Secretary for Public Lands was receiving graft in repayment for concessions granted.

Mr. SPEAKER: Order! The hon. member must be fair in his remarks. He said that the findings of the Commissioner were that the ex-Secretary for Public Lands was receiving graft. That was not the finding of the commission and I ask the hon. member to withdraw the remark.

Mr. AIKENS: I will withdraw the word "graft" and say that he was found guilty of corrupt practices. I do not want to take any unfair advantage of the hon. member, but we all know what those corrupt practices were.

Mr. GAIR: I rise to a point of order. That is not quite in keeping with the findings of the Commissioner. In any case we are not dealing with the findings on Mr. Foley at all. The Commissioner found that there was no evidence that Mr. Foley benefited.

Mr. SPEAKER: The hon. member for Mundingburra has already accepted that.

Mr. GAIR: I just wanted to clarify it.

Mr. AIKENS: Let us look at the whole set-up. Let me, as I always am, be frank and honest about it. People have wondered. They have said, "If Mr. Foley was dishonest, if he was indeed guilty of corrupt practice as has been found by Mr. Justice Townley, why was he corrupt? What was his object in being corrupt? Why was Mr. Creighton so concerned with the suggestions of corruption that were made against the Minister for Lands and inferentially against the Government?"

Mr. GAIR: I am forced to rise to a further point of order. The motion deals with Mr. Creighton and it is not concerned with the Commissioner's report on Mr. Foley at all. The hon. member for Mundingburra is trying to deal with the Commissioner's report on Mr. Foley. There is a very definite and specific motion before Parliament today. It refers to Mr. Creighton and his conduct and the Government's proposed action. That is the only thing for consideration at the present time.

Mr. SPEAKER: The point of order raised by the Premier has some bearing and some merit. However, when speaking about

Mr. Creighton the hon. member for Mundingburra naturally has in some way to refer to the Commissioner's report. But I will ask him to try to confine his remarks to the motion before the House.

Mr. AIKENS: I see your point of view and I can even see the Premier's. I am doing the best I can with my limited ability to tie the whole thing together. I am trying to find what was agitating Mr. Creighton, and he told us that at the Bar of the House. He told us that he was greatly concerned about these allegations and the effect they might have on the good name of the Government and on the good name and reputation of land administration in Queensland if the Honourable ex-Secretary for Public Lands did receive any concessions or favours.

Mr. SPEAKER: Order! I pointed out that the Commissioner in his findings exonerated the Minister of any criminal act in corrupt dealings in regard to the leaseholds of the Crown.

Mr. AIKENS: May I refer to an almost similar case, not in this chamber but in this Parliament? I refer to the late Mr. Theodore and the late Mr. McCormack, and tie them up with the present case of Mr. Creighton.

Mr. SPEAKER: Order!

Mr. AIKENS: After the Mungana case the then Hon. W. McCormack said in effect, "We were merely the thieves, the Party were the receivers. They received a cut of anything we got."

Mr. SPEAKER: Order!

Mr. GAIR: I rise to a point of order. The hon. member appears to be determined to depart from your ruling on the motion before Parliament. Earlier today I was informed that the hon. member was determined through this debate to receive even more publicity than he normally enjoys. I knew before Mr. Creighton came to the Bar of the House that the hon. member for Mundingburra was to assist Mr. Creighton by the presentation of a throat lozenge. (laughter).

Mr. SPEAKER: Order!

Mr. GAIR: And I also learned that the hon. member for Mundingburra has stated that he will do everything possible to be sent out on this issue.

Mr. Aikens: Bunkum.

Mr. GAIR: It is evident from the hon. member's conduct this afternoon that he is planning that way.

Mr. SPEAKER: Order! I point out to the Premier and to all hon. members that the hon. member for Mundingburra has certain privileges and rights in this Chamber. So long as the hon. member conforms to the Standing Orders he has the opportunity to speak his full time.

Mr. AIKENS: I am trying as hard as I can. I think you realise it, Mr. Speaker. (Laughter.) After that amazing outburst the hon. the Premier it seems is wasting his time; he ought to be reading tea-cups. (Laughter.)

If I cannot deal with that—the finding of Mr. Hickey and the royal commissioner—

Mr. SPEAKER: Order! I have already told the hon. member he can deal with that matter on a later debate. I ask the hon. member to confine his remarks to the motion before the House.

Mr. AIKENS: If I cannot do those things I shall see if you will allow me to deal with the action of the Government on this issue and the actions of the Government on an almost similar issue to see whether they are acting fairly and decently towards Mr. Creighton. It was the same Government and an almost identical Cabinet. I think it must be realised by members of the Government—otherwise they would not have gone through the elaborate farce of allowing Mr. Creighton to appear at the Bar—that public feeling has been highly incensed.

Mr. HILTON: I rise to a point of order. Is the hon. member in order in referring to a motion that has been approved of by hon. members of this Parliament as a screaming farce. I submit that that language is unparliamentary and is a reflection on hon. members of this House who unanimously carried a motion yesterday, giving leave to Mr. Creighton to appear at the Bar of the House. Now our decision is described by the hon. member for Mundingburra as a screaming farce.

Mr. SPEAKER: Order! The hon. member for Mundingburra is expressing his own opinion on the motion, and there is no reflection on hon. members.

Mr. AIKENS: Surely I am in order in saying what the people of Queensland are saying in regard to Mr. Creighton's dismissal, which, in effect, has already taken place—all that remains are the formalities. The people are saying that the royal commission has found—and I shall not labour it—that the ex-Secretary for Public Lands and Irrigation was guilty of corrupt practices but that Creighton was innocent—

Mr. Burrows: Nothing of the kind.

Mr. AIKENS: Absolutely innocent. The Commissioner said that he did not want to refer to the impropriety or otherwise of Mr. Creighton's remarks, but that he was innocent of any charge. And the ex-Minister was guilty of one of the most nefarious charges of which a Minister could be found guilty. We are being asked to vote on a motion that will mean the dismissal of the

innocent man, while the guilty man will be allowed to remain as a member of this Assembly. That is the point agitating the minds of the people of Queensland, the guilty man goes free while the innocent man is dismissed.

Mr. GAIR: I rise to a point of order. The hon. member for Mundingburra is a long way from the resolution before the House.

Mr. Chalk: I suggest Mr. Speaker would be the best judge of that.

Mr. GAIR: The hon. member would not be a judge of anything. There is now a very definite resolution before the House. We are not discussing the findings of the royal commission.

Mr. SPEAKER: I have already pointed out to the hon. member for Mundingburra that we are dealing with a motion moved by the Secretary for Lands and Irrigation. I ask him to confine his remarks as closely as possible to that motion.

Mr. AIKENS: Surely to goodness I was doing that. I was pointing out the different treatment meted out by this Government to the man found guilty and the man found innocent. Creighton was found not guilty, but what will happen to him? He has lost his life's savings because of having to pay out of his own pocket for legal representation before the commission and he will now lose his position. He is a man who did a signal service to this State, even if he did it in an unorthodox manner. He was responsible for the exposure of corruption in high Government places. He was found not guilty of any corrupt practices, but because of the exposure of that corruption he has now lost his life's savings and will lose his job. Do hon. members think that is fair? Do the Premier, members of the Cabinet and Government members think that the people of Queensland will consider that to be a fair deal?

Mr. Gair: Yes.

Mr. AIKENS: I think I know more about the opinion of the man in the street than the Premier. I know he will not think that that is fair treatment. I am concerned that the guilty should go free and the innocent should be punished.

I do not know how far you will allow me to go on my next point, Mr. Speaker, but I intend to mention a parallel case. We had before the Bar of the House a few minutes ago a top-ranking Government officer who will be dismissed for the sole reason that he entrusted his confidence to an A.W.U. official who betrayed that confidence. That is the only sin of which he is guilty. Foolishly, he wrote anonymous letters to Mr. Williams. Those letters were made available by Mr. Williams to Mr. Bukowski and Mr. Bukowski published the context of those

letters in "The Worker" in an endeavour, as I pointed out earlier, to put the screw on the hon. member for Belyando. That and that alone is the reason why Mr. Creighton has lost his life's savings and will lose his job. The people in the street will say of Mr. Creighton's actions that the end justified the means. I think that will be their opinion. They will agree that Mr. Creighton had no other recourse, no other avenue. Whatever foolishness he was guilty of was more than vindicated and more than justified by the result of his action.

Mr. Gair: A Goodna case—

Mr. AIKENS: I think he was "nuts" to have trusted Bukowski and Williams. I think anyone who trusted Bukowski and Williams with a serious confidence would be "nuts."

Let us examine what the Government did in respect of another high-ranking civil servant who was found guilty of very serious practices by a judge of the Supreme Court. I refer to Mr. Maguire and the Bulimba Elections Tribunal. A Supreme Court judge, Mr. Justice Mansfield, found that corrupt practices has been indulged in. I think "fraud" was the word he used.

Mr. GAIR: I rise to a point of order. I cannot see the relevance of this.

Opposition Members interjected.

Mr. GAIR: I can understand that hon. members opposite disapprove of my point of order because they want to hear the hon. member for Mundingburra. It does not suit me because we have business to dispose of, and I am at a loss to understand what the Maguire case has to do with the Creighton case.

Mr. SPEAKER: Order! That question has nothing to do with the matter before the House. The point of order is in order. I happened to be in conversation with the head messenger when the hon. member for Mundingburra made his remarks. As a matter of fact, the time of the hon. member has expired.

Mr. COBURN (Burdekin): I move—

"That the hon. member for Mundingburra be given an extension of time to complete his speech."

Mr. SPEAKER: Order! Is it the pleasure of the House that the hon. member for Mundingburra be granted an extension of time to complete his speech?

A Government Member: No.

Mr. AIKENS: I am glad I hurt somebody.

Question—That the hon. member for Mundingburra be granted an extension of time

to complete his speech (Mr. Coburn's motion)—put; and the House divided—

AYES, 23.

Mr. Aikens	Mr. Low
" Bjelke-Petersen	" Morris
" Coburn	" Müller
" Dewar	" Munro
" Evans	" Nicholson
" Fletcher	" Nicklin
" Gaven	Dr. Noble
" Heading	Mr. Sparkes
" Herbert	" Taylor, H. B.
" Hewitt	Tellers:
" Hiley	" Chalk
" Jones, V. E.	" Pizzey

NOES, 42.

Mr. Brosnan	Mr. Jesson
" Brown	" Jones, A.
" Burrows	" Kehoe
" Byrne	" Kevatta
" Clark	" Lloyd
" Collins	" Marsden
" Cooper	" McCathie
" Davies	" Moore
" Davis	" Power
" Devries	" Rasey
" Diplock	" Robinson
" Dohring	" Skinner
" Duggan	" Smith
" English	" Taylor, J. R.
" Foley	" Turner
" Forde	" Wallace
" Gair	" Walsh
" Gardner, H. R.	
" Gardner, R. J.	
" Graham	Tellers:
" Gunn	" Baxter
" Hadley	" Moores
" Hilton	

PAIRS.

AYES.	NOES.
Mr. Madsen	Mr. Wood
" Roberts	" Donald

Resolved in the negative.

Mr. MORRIS (Mt. Coot-tha) (4.23 p.m.): After the rather amusing occurrence a little while ago, when the Government revealed that they were so worried about what hon. members might say in this debate that they opposed the granting of an extension of time—

Mr. SPEAKER: Order! I remind the hon. member that there is a specific motion before the House. Any hon. member can speak, so long as he confines his remarks to that motion.

Mr. MORRIS: One would think that the Government would extend the usual courtesy of an extension of time to any hon. member who wanted it. As has already been pointed out by the Leader of the Opposition, this is a unique occasion for many of us, at least in this Chamber. Whilst we are called upon frequently to make decisions on legislative or administrative matters, this is the first time in my experience—and I am sure in the experience of many other hon. members—that the House has been called upon to act in a judicial capacity. It must be remembered that our decisions on legislative and administrative matters are not irrevocable although they may have an important bearing on the future of the State. They may be changed simply by an amendment to an Act. This matter is entirely different. We are now acting in a judicial capacity and

the effects of our decision may be more far-reaching than that of a Supreme Court judge. An unsuccessful litigant in the Supreme Court, has a right of appeal to the High Court and, if he desires, to the Privy Council. There can be no appeal from any decision we make today. 'A man's life's work is at stake and, more than that, we shall be setting a precedent for the future.

I am not at all satisfied that we are acting within our rights. I draw the attention of hon. members to Standing Order No. 333, which reads—

"In all cases not specially provided for by these Standing Rules and Orders, or by Sessional or other Orders, resort shall be had to the Rules, Forms, and Usages, of the Commons House of the Imperial Parliament of Great Britain and Ireland for the time being, which shall be followed and observed so far as the same can apply to the proceedings of the House."

The normal procedure in the House of Commons in a case like this is not to make a decision until a Select Committee has investigated the charges, that is to say, prepared a case for and against the accused. Here we are judging a man without a trial.

Mr. Walsh: Creighton is not being charged by this Parliament!

Mr. MORRIS: To suggest that he is not being tried is simply equivocation. We are in effect deciding his future in the Public Service.

Mr. Walsh: That is quite true.

Mr. MORRIS: What we are doing today is completely outside all normal usages, as the Treasurer will find if he refers to May's "Parliamentary Practice" and other textbooks.

It may be argued that because I have quoted Standing Order 333 I am to a certain extent out of order, as a resolution was carried this morning to suspend Standing Orders for the purposes of this debate. I point out that though we suspended Standing Orders down to No. 332 we did not suspend Standing Order No. 333. You, sir, are in charge of the processes of this House and I submit respectfully that we are now breaching the Standing Orders and parliamentary procedure.

Mr. Walsh: I suggest that the only Standing Orders we have suspended are those that would prevent Mr. Creighton's coming to the Bar of the House.

Mr. MORRIS: That again is quite an incorrect argument. The motion before the Chamber was the suspension of the Standing Orders to permit us to bring him here.

Mr. Walsh: No, no.

Mr. MORRIS: Oh yes it was. Rule 333 suggests that unless there is anything specific to the contrary the rules of procedure in the House of Commons must apply. There

is nothing in the rules of procedure or in our Standing Orders which would permit us to take the action we have today.

Mr. Walsh: You quote from May where this procedure is wrong.

Mr. MORRIS: I think that you should investigate this, Mr. Speaker, because it is extremely serious. If the House today in an exhibition of unfairness should carry this resolution I submit that the person to whom the decision will apply should have an opportunity to appeal because I maintain that the Standing Orders have been breached.

The Treasurer has asked for the quotation from May. I have no doubt that the quotation will be given to him in due course if he will exercise his patience.

I intend to speak now of the case as presented to us by Mr. Creighton today. It is the duty of the Government to appoint Judges of the Supreme Court. From those Judges we expect justice without fear, without favour, and without any thought of political background or belief. The findings of the Commissioner furnish a magnificent indication of the independence of the Judiciary.

Mr. Power: Appointed by a Labour Government.

Mr. MORRIS: The Government by their acts and statements indicate that they believe that they have inherited Government by Divine right, yet we have a Judiciary which is prepared, even in the teeth of that Government, to do what it thinks is right. I repeat that it is a magnificent indication of the independence of our Judiciary.

Mr. Power: I repeat, appointed by a Labour Government.

Mr. MORRIS: In answer to the Attorney-General I would say it has been done in spite of the Labour Government, not because of it. We expect a very high standard of independence from our Judiciary and we should demand no less a high standard in ourselves. Surely no hon. member of the Government will be prepared to be bound by the decision of Caucus after listening to this debate and to the speech made by Mr. Creighton. Surely they will not be bound by decisions made in Caucus some days ago.

Mr. Power: You have not got the evidence.

Mr. MORRIS: That is as deliberately and as characteristically untrue as the character of the man that said it.

Mr. SPEAKER: Order!

Mr. Power: You nasty man! My character is as honest and as decent as the hon. member's.

Mr. SPEAKER: Order! The hon. member may not reflect on the character of the Attorney-General. I ask him to withdraw that remark.

Mr. MORRIS: The only reflection is drawn by the mind of the hon. gentleman.

Mr. SPEAKER: Order! The Attorney-General has taken exception to the hon. member's remark and I ask him to withdraw it.

Mr. MORRIS: Very well, if the hon. gentleman's mind works that way I do so.

Mr. SPEAKER: Order! I ask the hon. member to withdraw the remark.

Mr. MORRIS: Very well, I withdraw it. I leave the hon. gentleman to judge according to his conscience.

Let us look at a few of the facts in regard to this matter. I point out that the suspension was carried out at a time when the Government—and this is an important point—were unaware of corrupt practices which subsequently were found by the Royal Commissioner against the hon. member for Belyando. The cause of the suspension could only relate to matters which were then known and which had not been exposed by the findings of the Royal Commissioner. We are trying to relate the dismissal of this man to the conditions that applied to his suspension prior to the findings of the royal commission. In that way we are acting wrongly. I point out our action and the action of any man, whether it be Creighton or you, Mr. Speaker, or I is judged not so much on the action itself but by the circumstances which surround the action. I shall give a simple illustration. Under certain circumstances we could kill a man and be charged with one of the most serious offences under the law. If the evidence was strong enough we could be found guilty. Under other circumstances a man may be not guilty on the ground of self-defence. Let us take an extreme example. A citizen may suffer a severe penalty for killing a man, and not many years ago during the war we were encouraged to kill. The circumstances that surround the act are much more important than the act itself. If we are to consider this question of Creighton we must consider all the circumstances which surround the actions on which he is charged and on which the Government wish to dismiss him. Mr. Creighton was convinced—and that has become abundantly clear from the report of the Commissioner—that there was corruption within the Department of Lands of this State.

Mr. Power: He said he had no evidence of that.

Mr. MORRIS: He could not prove it.

Mr. Power: And was not convinced there was corruption.

Mr. MORRIS: He was convinced it occurred without having the complete proof. There lies one of the reasons why he could not take the action that the Government demand he should have taken.

Mr. Power: Why couldn't he?

Mr. MORRIS: He believed it, and the correctness of his belief was proved by the finding.

Mr. Power: There was no findings on the evidence he gave, and the hon. gentleman knows that.

Mr. MORRIS: Mr. Speaker, you ruled a while ago that it was not competent for an hon. member to discuss matters other than the dismissal of Mr. Creighton. I could answer the Attorney-General simply, but only by going against your ruling. I suggest that he is not contributing fairly to the debate in trying to take any hon. member away from the ruling that you, Mr. Speaker, have made.

Mr. Creighton believed there was corruption in the land administration of this State, and that his belief was well founded has been proved abundantly by the findings of the royal commission. I shall use his words. He said, "I came to the conclusion that, unless I could stop what was going on, my position as Chairman of the board was one which no honest man could occupy."

Mr. Power: In his findings the Commissioner dismissed all the charges and allegations made by Creighton.

Mr. SPEAKER: Order!

Mr. MORRIS: As this man, occupying a very high position in the Public Service of this State, came to this conclusion and decided that he could not as an honest man continue to occupy that position, what could he in fact do? He had to try to clear up those circumstances and try to remedy the corruption which he believed was operative in his department.

If any hon. member, even hon. members opposite, is prepared to be fair, he will say that Creighton took every available opportunity to clean up the corruption without any public scandal. He approached two former chairmen of the Land Administration Board, Messrs. Lucy and McLean, and as a result of his approach to those persons he then went to two Ministers of the Crown.

Mr. Power: On one subject only.

Mr. MORRIS: Take this example: if I believe the Minister guilty of thieving in 10 instances and I bring forward one only, surely that is sufficient. I have not to make representations in respect of every instance.

Mr. Power: But he had no evidence.

Mr. MORRIS: He approached the Ministers in respect of one case.

Mr. Power: But he had no evidence on that matter.

Mr. MORRIS: He did. He approached Messrs. Lucy and McLean and then the Secretary for Labour and Industry and the Secretary for Public Works and Housing. The Secretary for Labour and Industry read to us the letter he sent to the Commissioner.

Having heard the letter, I think it indicated that he thought the matter was not an important one. For the benefit of hon. members, I should like to read another letter, the letter sent to the Commissioner by the then Secretary for Public Works and Housing. It indicates that he considered the matter to be very grave. This is the letter—

"Office of the Minister for Public
Works and Housing,
Treasury Building,
Brisbane, B.7.

(Written at Stanthorpe.)

2nd May, 1956.

The Commissioner,
Royal Commission—Crown Leaseholds,
Box 1443T, G.P.O.,
Brisbane.

Dear Sir,

I acknowledge receipt of your letter of the 27th ultimo wherein you request that I furnish a statement setting out my recollection of any conversation I had with Mr. V. R. Creighton, Chairman of the Land Administration Board, or the Honourable the Premier, upon the subject of any dealing or proposed or suggested dealing with any Crown Leasehold; also that I set out in such statement any other evidence or information I may have which might be of assistance to the commission. Relying on my memory only, I wish to advise as follows:—

In August or September, 1954, Mr. J. P. Lucy, Land Court Judge, 'phoned me and informed me that Mr. Creighton desired to have an interview with me on a certain matter. I agreed to the request and subsequently Mr. Lucy brought Mr. Creighton to my room in Parliament House. Mr. Creighton expressed concern regarding the possibility of leases of the property known as 'Lundavra' being extended and mentioned that Mr. Bergin had been instructed to make a report on this property. I intimated that I would not be favourably disposed towards such a proposal.

Mr. Creighton later saw me in my office in the Treasury Building, and furnished me with details of the property mentioned at this interview. Mr. Creighton also mentioned that Mr. K. B. Cameron might pay a large sum of money in order to secure an extension of the leases.

"Mr. Creighton also gave me to understand that he had no faith in Mr. Bergin and that he was strongly opposed to his appointment as a Member of the Land Administration Board. I gave due thought to what had been said by Mr. Creighton and I subsequently saw the Premier and mentioned the matter to him."

There is proof, if ever proof was needed, that prior to the royal commission the Secretary for Public Works and Housing was so disturbed by the rumours he had

heard from Mr. Creighton, that he reported them to the Premier. At least three Ministers at that stage knew that the rumours were circulating and knew of the disturbance in the mind of Mr. Creighton in relation to the administration of the Land Laws of this country. The letter goes on to say—

“In December, 1954, Mr. Wm. Gunn of the United Graziers' Association interviewed me on the question of the “Lundavra” leases being extended. I informed Mr. Gunn that I would be strongly opposed to such a proposal and intimated that in my opinion the Government would not agree to any such extension. After certain articles had appeared in the “Worker” newspaper, several other people mentioned to me the question of an extension of the “Lundavra” leases. On all such occasions I expressed a strong opinion that no such extension would be granted. When I read Mr. Bergin's report concerning the “Bullamon Plains” and “Lundavra” properties it became apparent to me that such concession could not be granted until the last seven year periods of the leases without an enabling amendment to the Land Acts.

“I have no other information which would be relevant to the purpose of the Commission.”

I have read the letter in full because I realise, notwithstanding the passing of time I could have been charged with deleting some of it. It proves that there were three Ministers of the Crown, one the Premier, and another the Secretary for Public Works and Housing concerned with the situation in regard to the administration of this department. Mr. Creighton took action to prevent a continuation of what he believed was wrong within the administration of the department—what he knew in his own mind, although he had no proof since 1949. He had not been able to get it cleared up. I ask hon. members to visualise what must have been the mental attitude of Mr. Creighton at this stage. He had been thwarted at every turn; he believed that there had been corrupt practices and yet, as Chairman of the Board, he was unable to clean them up. The main burden of the charge against Mr. Creighton is for having turned to Mr. Williams, and in doing so he was accused, amongst other things of systematic deceit and treachery to Her Majesty's Ministers. As the Leader of the Opposition pointed out fully and clearly, having found that it was impossible for him to take steps (a) (b) (c) or (d) as laid out in the charges, this man had no alternative but to go to somebody else. His job was to select somebody to go to. I remind hon. members of a comment by Mr. Creighton today when he said that in 1950 there had been a royal commission appointed by the Government to investigate pastoral

leases and land matters generally in Queensland, and that the personnel of that commission or committee were Mr. A. Bell, of the Department of Agriculture and Stock, Mr. McLean, representing the Graziers' Association, Mr. Williams, representing the A.W.U., and himself, representing the Department of Public Lands. I must reiterate that it was on the investigation by this commission that the amending Bill of 1952 was put through this House. It was on the basis of that particular inquiry that the whole of our present land laws are framed. As Mr. Creighton and Mr. Williams were fellow-members on that royal commission, who would be the most likely man for Creighton to turn to in his dilemma? There was no more likely man to whom he should turn than the one with whom he had worked for months in formulating the land laws of this State. It is indeed a travesty of justice that he should be charged with dishonesty, treachery and systematic deceit merely because he discussed his problems confidentially with the person to whom he would naturally turn. In the statement made by Mr. Creighton today—and I took particular notice of it, because to me it was extremely important—he said that when he was passing this information on to Williams, he passed on nothing that could be designated as secret. We all know perfectly well that within the department there are matters designated secret whilst others are merely normal. According to Mr. Creighton's evidence—and it was not denied—not one matter that was designated secret did he pass on to Williams. One can only assume, therefore, that the matters he passed on would be within the knowledge of quite a number of people.

Mr. Burrows: They were lies that he passed on.

Mr. MORRIS: A finding of corrupt practices by a royal commission is not based on lies. Had it not been for the charges made by Creighton, the rottenness that was within the Department of Public Lands would never have been cleaned up. To suggest that Creighton's statements were lies is as fantastically stupid as the Premier's statement that he knew somebody was going to pass a cough-drop.

Mr. SPEAKER: Order!

Mr. MORRIS: There is also the fact—and the Secretary for Labour and Industry has referred to this—that at that stage the A.W.U. was growing in strength. That probably was another reason why Creighton believed that by reporting this matter to a member of the A.W.U. there was more hope of cleaning up the rottenness in the department from within than by a public scandal.

Mr. Burrows: He only wanted to clean up one corner.

Mr. MORRIS: I will clean you up in a minute.

Mr. SPEAKER: Order! I ask the hon. member to withdraw that remark.

Mr. MORRIS: I withdraw it. It was a facetious remark.

When one considers the various matters to which I have referred, one can come only to the conclusion that Creighton took the course that any honourable man of conscience would take. Rather than condemn him, we should commend him for his courage and his honesty. What we want in this State, and in Australia, are public servants with the courage to do what they know is right, even in the teeth of Labour administration.

There are other aspects of the matter. First of all I do not think it desirable that I should refer to the findings of the royal commission in relation to the ex-Secretary for Public Lands. I think all hon. members know what they were, but it is relevant to the question to say that I believe that the Premier for one is totally unfit to be one of the members of the House to exercise judgment on Creighton.

Mr. SPEAKER: Order! That is a reflection on the Premier.

Mr. MORRIS: I am expressing an opinion.

Mr. SPEAKER: Order! It is a reflection on the Premier and I ask the hon. member to withdraw it. Order! Order! I ask the hon. member to withdraw that remark.

Mr. MORRIS: You place me in a very difficult position. I have expressed an opinion.

Mr. SPEAKER: It is a reflection on the Premier and I am asking the hon. gentleman to withdraw it. He has made a definite charge against the Premier, which is a reflection on his integrity, and I ask him to withdraw it.

Mr. MORRIS: Very well, I will withdraw it. I feel that it is a grave situation when, in view of the evidence that I intend to quote, people are able to be in this Chamber and express by their vote an opinion against a man of the moral calibre of Mr. Creighton. I shall mention those people and subsequently deal with the Cabinet as a whole. First of all, let me give a few examples of where I believe the Premier has been guilty of misleading the House. At page 39 of "Hansard," on 10 August, 1955, Mr. Foley was referring to Mr. Cameron and the "Lundavra" leases.

Mr. SPEAKER: Order! Did I understand the hon. gentleman to say that the Premier misled the House?

Mr. MORRIS: I expressed the opinion that he misled the House.

Mr. SPEAKER: The hon. gentleman made a definite statement that the Premier was guilty of misleading the House.

Mr. MORRIS: That is my opinion and I propose—

Mr. SPEAKER: That is imputing improper motives to the Premier and I ask him to withdraw the statement.

Mr. MORRIS: Very well, Sir. Let me give some quotations.

Mr. SPEAKER: Order!

Mr. MORRIS: I said, "Very well."

Mr. SPEAKER: I asked the hon. gentleman to withdraw the statement.

Mr. MORRIS: Well, I withdraw it. I will come back to this subject later on.

On page 39 of "Hansard," 10 August, 1955, Mr. Foley, referring to Cameron said—

"This man, about whom so much fuss is being made, has never applied to have his leases restored."

Then, on 15 September, at page 361, he said—

"The point I wish to emphasise is that not one of the lessees has even lodged an application for a renewal of the leases, consequently the Departmental officers, etc."

That was again referring to Mr. Cameron. In each of those instances Mr. Foley said that not one of the lessees of "Lundavra" had applied for a renewal of a lease.

On 15 September the Premier said at page 349—

"The Minister has already told the House that up to the present no application in regard to that lease has been received, and the lease does not expire for something like nine or 10 years."

There is confirmation by the Premier of the statements made by the then Secretary for Public Lands that no application had been received from the Camerons of "Lundavra."

That was in 1955 and yet on 12 July, 1954 in a Cabinet minute signed by Mr. Foley we find—

"Discussion was raised by the hon. the Premier on the question of whether special consideration requested by Mr. K. B. Cameron regarding his aggregation of leases should be given because of developmental work of an unusual quantity with high value commenced some years ago and still proceeding at 'Bullamon Plains' and 'Lundavra'. I pointed out to Cabinet that when such leases expired the usual practice of the Department is to consider their suitability for subdivision and that the question of whether a leaseholder who, as in the case of Mr. Cameron, was prepared to spend very large sums of money on improving Crown leases, should be considered for special treatment, was a matter for Cabinet direction."

So the Cabinet minute goes on. There is complete proof that in 1954 the Premier raised the matter in Cabinet and yet in 1955

he confirmed in the House what had been said by Mr. Foley, that no application had been received in respect of this lease.

Mr. GAIR: I rise to a point of order, chiefly for the purpose of correcting, as I have already done this afternoon, the false opinions held by the hon. member for Mt. Coot-tha and others. The matter was raised by me before Cabinet on a letter, not an application from Mr. Cameron. That is distinct from an application in the prescribed and orthodox form. He wrote me a letter which I took to Cabinet for consideration. I have said that repeatedly and I say it again. What I said to the House was in accordance with facts.

Mr. SPEAKER: I ask the hon. member for Mt. Coot-tha to accept that explanation.

Mr. MORRIS: I will accept the explanation. I will accept anything to get through.

Mr. Gair: We know that.

Mr. MORRIS: When it comes from the Government side of the House, yes.

Mr. SPEAKER: Order! Will the hon. member accept the explanation?

Mr. MORRIS: I have said that I accepted it.

This Cabinet minute continues—

“I was instructed by Cabinet to arrange for a comprehensive report on the work by Mr. Cameron, its cost, its value etc. and as to what concession in the way of new leases for all or some of existing tenures held by Mr. K. B. Cameron and his co-partners, would be warranted.”

(Time, on motion of Mr. Low, extended).

Mr. MORRIS: I thank hon. members for the extension of time. I am forced by procedure to accept the denial, but the facts speak for themselves. I would remind the House that the practice in nearly all British Parliaments—obviously with the exception of this—is that when a Minister, particularly a Premier or a Prime Minister, deceives or deliberately misleads the House he immediately not only resigns his portfolio but resigns his seat. Mr. Herbert Morrison, one of the leaders of the Labour Party in England, in his book—

Mr. GAIR: I rise to a point of order. I do not think that there is any ambiguity about what the hon. member is saying. I am compelled to rise and complain. Is the hon. member saying what I understood him to say—that I deliberately misled this House?

Mr. Nicklin: Nothing of the sort.

Mr. GAIR: I understood the hon. member to say so—and that if I did I should resign or somebody else should. The hon. member went on to talk about Herbert Morrison. Let the hon. member have sufficient internal equipment to get up and say what he believes and not infer.

Mr. SPEAKER: Order! I point out to the Premier that earlier the hon. member did make that suggestion and I asked him to withdraw that remark and he withdrew it. I understood him to say if it did happen a Prime Minister or a Minister resigned.

Mr. Burrows: I heard the hon. member say, “In every other House of Parliament except this.”

Mr. SPEAKER: Order! With hon. members interjecting it is hard to hear what is said. If hon. members remain silent and let the hon. member make his statement it could be heard correctly. If the hon. member made that inference I ask him to withdraw it.

Mr. MORRIS: I shall continue my quotation.

Mr. SPEAKER: Order! Did the hon. member make that inference?

Mr. MORRIS: All sorts of words are imputed to me. I cannot withdraw what they say I said.

Mr. SPEAKER: Did you say it?

Mr. MORRIS: Earlier I did and I withdrew it on your instruction—much against my grain.

Mr. SPEAKER: Order!

Mr. BURROWS: I rise to a point of order. I am not satisfied with that.

Mr. SPEAKER: Order! I have dealt with that point of order.

Mr. MORRIS: I wish to read this quotation from the book entitled “Government of Parliament” by Herbert Morrison published in April, 1954, in which he said—

“The proper answer of the Minister is that if the House wants anybody’s head it must be his head as the responsible Minister.”

and not a public servant.

Under the present circumstances that applies particularly to this Parliament. I have no doubt that what I am going to say will raise the ire of some hon. members. I refer to the majority of members of Cabinet, not all, I admit, but the majority. At the very least they could be charged with criminal negligence in regard to the now proved malpractices that occurred in the Department of Public Lands. That is at the least. I could go further and say that they could be dealt with.

Mr. SPEAKER: Order! The hon. member has made an imputation against certain members of the Cabinet—that they could be charged with criminal negligence.

I ask the hon. member for Mt. Coot-tha to withdraw that remark. It is a reflection on some members of Cabinet. He is imputing improper motives to some members of Cabinet.

Mr. MORRIS: I refuse to withdraw.

Mr. SPEAKER: Order! I warn the hon. member that if he disregards the authority of the Chair I shall have to take steps to enforce that authority. I ask him to reconsider his decision, withdraw his remark, and obey the Chair.

Mr. MORRIS: It is my belief that that is the position. It is my belief that what I have said is true, and I do not intend to withdraw it.

Mr. SPEAKER: The hon. member has imputed improper motives to certain members of the Cabinet, and has reflected on them. I ask him to withdraw his remark.

Mr. MORRIS: The royal commission's findings were a reflection on a certain member of Cabinet.

Mr. SPEAKER: I ask the hon. member to withdraw his remarks.

Mr. MORRIS: I refuse.

NAMING OF MEMBER.

Mr. SPEAKER: I have no alternative but to name the hon. member for Mt. Coot-tha for disregarding the authority of the Chair.

SUSPENSION OF MEMBER.

Mr. SPEAKER: I have named the hon. member for Mt. Coot-tha for disregarding the authority of the Chair.

Hon. V. C. GAIR (South Brisbane—Premier) (5.12 p.m.): This debate is a fertile field for some exhibitionists and certain hon. members take advantage of it.

Mr. NICKLIN: I rise to a point of order. The Premier is imputing an improper motive to the hon. member for Mt. Coot-tha, and I object.

Mr. SPEAKER: Order! I ask the hon. gentleman not to make any improper suggestions about the hon. member for Mt. Coot-tha. I have reported to the House that the hon. member refuses to obey the authority of the Chair.

Mr. GAIR: That is the only matter with which I am concerned at the moment. Improper motives imputed against members of Cabinet should be regarded more seriously than the improper motives which it is suggested I have imputed against the hon. member for Mt. Coot-tha.

I appeal to the hon. member to reconsider his decision. If he is in consonance with his Leader and is desirous of having this debate carried out in proper fashion and on a proper basis, he will obey the Chair and withdraw the remark he made. If he does not, the House will be compelled to deal with him. I appeal to the hon. member for

Mt. Coot-tha as Deputy Leader of the Opposition to be conscious of his responsibility and to maintain some decorum during this very important debate.

Mr. MORRIS: I have said what I believe to be true, and I do not intend to withdraw.

Mr. GAIR: I move—

“That the hon. member for Mt. Coot-tha be suspended from the service of the House until the expiry of this debate.”

Question—That the motion (Mr. Gair) be agreed to—put; and the House divided—

AYES, 44.

Mr. Baxter	Mr. Hilton
“ Brosnan	“ Jesson
“ Brown	“ Jones, A.
“ Burrows	“ Kehoe
“ Byrne	“ Keyatta
“ Clark	“ Lloyd
“ Collins	“ Marsden
“ Cooper	“ McOathie
“ Davies	“ Moore
“ Davis	“ Moores
“ Devries	“ Power
“ Diplock	“ Rasey
“ Dohring	“ Robinson
“ Duffy	“ Smith
“ Duggan	“ Taylor, J. R.
“ English	“ Turner
“ Foley	“ Wallace
“ Forde	“ Walsh
“ Gair	“ Wood
“ Gardner, H. R.	
“ Gardner, R. J.	Tellers:
“ Gunn	“ Graham
“ Hadley	“ Skinner

NOES, 20.

Mr. Aikens	Mr. Müller
“ Bjelke-Petersen	“ Munro
“ Chalk	“ Nicholson
“ Dewar	“ Nicklin
“ Evans	Dr. Noble
“ Fletcher	Mr. Pizzey
“ Heading	“ Taylor, H. B.
“ Herbert	
“ Hewitt	Tellers:
“ Hiley	“ Jones, V. E.
“ Morris	“ Low

Resolved in the affirmative.

Mr. NICKLIN: I rise to a point of order. I draw your attention to the fact that when the hon. member for Mt. Coot-tha was leaving the Chamber a member of the Government—I think it was the Secretary for Health and Home Affairs—called out “Good riddance!”

Mr. MOORE: The Leader of the Opposition is evidently losing his sense of decency as well as his sense of hearing. I emphatically deny that I opened my lips when the hon. member for Mt. Coot-tha was leaving the Chamber.

Mr. NICKLIN: I apologise to the Minister. I thought at first that it was he who said, “Good riddance,” but it was the hon. member for Sandgate.

Mr. Gair: What if he did say it?

Mr. SPEAKER: Order! On Tuesday last reference was made to the conduct of Parliament, when much was said about the dignity and decorum of the House. The Premier said that it devolved upon every hon. member to assist Mr. Speaker in maintaining dignity and decorum, and it is up

to every hon. member to do that. It is not right for any hon. member to direct unseemly remarks at another hon. member.

Mr. MOORE: Will the Leader of the Opposition withdraw his accusation against me?

Mr. NICKLIN: I had the decency to apologise.

MR. VIVIAN ROGERS CREIGHTON.

MOTION FOR REMOVAL FROM OFFICE—
RESUMPTION OF DEBATE.

Hon. W. POWER (Baroona—Attorney-General) (5.23 p.m.): It is with regret that I find myself in the position of having to support a motion dealing with an officer of the Government Service who has attained such a high rank as Chairman of the Land Administration Board. However, Mr. Creighton has placed himself in this position as the result of his own treachery, and his action in not approaching the head of the State or using the other avenues available to him.

Mr. Creighton claims that he was motivated in his action by a desire for clean administration. However, he knew very well that he was giving to an unauthorised person information that was incorrect and that had been manufactured for the purpose of injuring this Government and members of the Queensland Cabinet. I make that charge deliberately.

Dr. Noble: What did he have to do?

Mr. POWER: The hon. member for Yeronga should keep quiet. Being a doctor, he buries his mistakes. Creighton said that whatever he did, however dishonourable or disloyal, his whole course of conduct was justified. How could anybody justify going to an outside person or organisation and making entirely untrue allegations? As I develop my speech I will show that the Commissioner dismissed all of the charges made by Mr. Creighton against Mr. Foley and the administration of the department.

An analysis of Creighton's conduct shows him in his true colours. Most of the matters on which he gave unauthorised information arose a long time before he became chairman of the Land Administration Board. He had those matters within his knowledge and held them against the day when he might turn them to his own use. In this Chamber Mr. Foley replied to allegations made in the Press based on information supplied by Creighton. Creighton sat here and gave him replies to the allegations based on information that he himself had supplied. Furthermore, he helped Mr. Foley's legal advisers prepare a defence to the information supplied by him to an unauthorised person and which was found by the Commissioner to be incorrect and unfounded. Could anyone justify the despicable tactics of a man of that calibre?

A royal commission was appointed in 1951 and he was one of the commissioners. While the terms of reference may not have covered

the matters raised later by him, he was in a very strong position to raise those matters then but he made no attempt to do so; he remained silent. Today he spoke at the Bar of this House. He was not brought here but the Government gave him the opportunity to speak. He said that he could not have given the information to His Excellency the Governor and he reflected upon His Excellency by saying that no action would have been taken, that the matter would have been referred back to the Executive Council. That is a gross reflection on Her Majesty's representative, who must see at all times that right is done. It is true that the Governor is guided by the recommendations of the Executive Council but he is not bound to accept them. Sir John Lavarack is a man of outstanding character and a great soldier. To suggest that he would ignore representations from a man holding such a high office as Creighton, is to reflect on his integrity.

Creighton remained silent till the time when it appeared to him that he had a good opportunity of ousting the Government and, under cover of secrecy, he opened his attack, employing all the familiar methods of the man who acts in the dark—allegations based on anonymous telephone calls, fabrication of facts, character assassination, and seizing on incidents, however slightly the evidence, to draw an adverse conclusion from them and to place upon them a wrong construction. That has been Creighton's attitude right through this matter. This occurred since Mr. Creighton was appointed Chairman of the Land Administration Board. It is interesting to note that the Land Administration Board never met and that Creighton was the man who decided all of these matters. All this time he acted as confidential adviser to the Minister, never giving him a hint, however, of what he was doing, never giving anybody a hint that he, the Chairman of the Land Administration Board, was betraying his trust and conveying information to an outside person. He allowed his Minister to come into the Chamber with his replies to the allegations that appeared in "The Worker" and all such replies were prepared by Mr. Creighton. No reasonable man could justify that attitude. Anyone who can has a very easy conscience; I certainly cannot. Matters arising out of newspaper reports were discussed with the Minister. He assisted and advised him. Queries were raised in the House and he remained silent. There were several debates in the House but there was no word from him on the issues raised. Fleming was attacked and he did nothing.

The statement by the Opposition that Creighton was responsible for the appointment of the royal commission is entirely untrue and without any foundation. I am a member of the Queensland Cabinet; the matter was discussed there. The Premier gave assurances in the House that if any evidence were given we would appoint a royal

commission to investigate the facts. Cabinet met and said, "Fleming has been named as the man and we will base a royal commission on the allegations made by Senator Ian Wood in the national Parliament of Australia." When he was asked to go before the royal commission to give evidence Senator Wood hid behind the fact of his being a member of Parliament; he was not prepared to come forward and substantiate his statement. The royal commission was not the result of any evidence or statement by Mr. Creighton.

I can assure the House I will not break any Standing Orders but I will show from the evidence of the royal commission that Creighton himself said he had no evidence at all, that he was merely suspicious. He had no evidence and in some cases he based his statements on alleged anonymous telephone calls. It is very hard to imagine a worse case of such strong evidence of systematic deceit, duplicity and disloyalty. If this standard of conduct is to be permitted to him, it should be permitted to every public servant, no matter what government are in power. If the head of the Public Service or any public servant cannot be loyal to the government in power he has no right to hold office.

I refer now to the transfer of the late Frank Baker and Jack Copley by the anti-Labour Government that controlled the State in 1929-1932. That Government felt that they might convey some information to the Labour Party that could affect them as a Government and they transferred them to remote parts of the State as protective action.

The action of Creighton is opposed to all the recognised standards of loyalty and decency for servants of the Crown throughout the world. In his own department he refused to recognise in practice the appointment of another member of the Board. No meeting of the Board was ever called by this Chairman and he assumed the role of a dictator. When a direction was given to appoint more rangers for the destruction of the noxious plant known as *Harrisi martini* he circumvented it. When he was asked to give his opinion on the extension of leases to Cameron he deliberately delayed, but at the same time he was careful to give lip service and lip obedience to the minister in charge of the department. It should be remembered that the Royal Commission during the hearing said that what Creighton did was wrong. The Government did not say that what Creighton did was wrong. The first man to find this man guilty of something wrong was the Royal Commissioner. I am not going to quarrel with or comment on the findings of the Royal Commissioner. It is not within my province so to do but in view of the defence put up by Creighton I point out that the Royal Commissioner found him guilty of wrong.

Mr. H. B. Taylor: What page?

Mr. POWER: That interjection only goes to show that hon. members opposite have not read the report. His conclusion reads—

"It will be noticed that I have made scant mention during the course of this report to Your Excellency of the articles which appeared in 'The Worker,' the material supplied by Mr. Williams to Mr. Bukowski as a basis for these articles, and the correspondence whereby Mr. Creighton supplied most of that information to Mr. Williams."

Let us deal with the facts, and the evidence, not hearsay. It continues—

"The first and second almost wholly depend on the third, and the third consisted of accusations and insinuations, and not of evidence. As I earlier said, I am not concerned with Creighton's conduct, unless it was corrupt conduct, and however misguided, however extravagant or however wrong his correspondence and conduct may have been, I cannot persuade myself that it amounted to corrupt conduct in respect to any dealings with Crown leaseholds."

Let me be fair. There is no suggestion that Creighton was guilty of corrupt conduct in regard to Crown leases. Nobody has made that charge but there is the charge, that his conduct has not been in accordance with the ethics of a high Crown employee. The Commissioner said that Creighton's conduct did not amount to corrupt conduct in respect of any dealings with Crown leaseholds, but he did, clearly by implication, condemn his conduct in these words, "However misguided, however extravagant or however wrong his conduct may have been." There is the allegation that Mr. Foley got some benefit and I want it to go on record that the Commissioner found that Mr. Foley got no material or monetary benefit from his actions. None of his actions was criminal. Mr. Foley was not guilty of graft, there was no evidence of it—a clear condemnation, by implication, of the methods of Creighton. Nowhere is his lack of decent conduct better exemplified than in his allegation of the payment of £100 to the Minister on or before 17 September, 1954, referred to on page 125 of the report. According to Creighton, this allegation had its genesis in an anonymous telephone call, which he said was received a few days before 17 September, 1954.

Mr. Burrows: He used to ring himself.

Mr. POWER: He may have done that. He said he received this anonymous phone call. If he ever did, what action did he take to report it to the Premier, to Cabinet, to His Excellency the Governor or anyone else? He remained silent. Personally I give no credence to allegations made anonymously.

The report proceeds—

"The account which Mr. Williams said Mr. Creighton gave to him purports, in effect, to be that of an eye witness and not based upon any anonymous telephone call. It is difficult to imagine any reasonable

explanation for the disparity between what Mr. Creighton says he told Mr. Williams and what Mr. Williams says he was told. It would seem from the evidence of Mr. Bukowski that, when Mr. Williams and other officials of the Australian Workers' Union saw the Premier, Mr. Williams gave substantially the same account of the allegation as he gave before me."

The Commissioner went on—

"I see no reason why Mr. Williams should invent the account which he said Mr. Creighton gave him and the disparity between the two accounts is so great that it could hardly be attributed to mistake on Mr. Williams's part.

"The transcript of the notes taken at the deputation does not seem to bear out the account of the proceedings which Mr. Williams said Mr. Creighton gave him."

In that instance again the judge did not believe the statements made by Creighton. It would seem, from the remarks of the judge that Creighton carried his infamous methods into the box, that he was prepared to resort to any means to extricate himself from his position. Would one expect such dishonourable conduct from a man occupying his position, one who now endeavours to paint himself as a man of honour? Would any Government accept such conduct from a man in that position? Apparently there is nothing too low for him to stoop to. Nowhere are his methods of character assassination better exemplified than in his allegation of a gift of a tractor to the Minister or some other person. He made the allegation to the newspaper through Williams that a gift of a tractor had been made to a respectable gentleman, and he intended the insinuation to be published, but to its everlasting credit the newspaper would not publish it. If it had been published, as the judge pointed out at page 127 of his report, there is no doubt a charitable person would immediately have seen in it a reference to the Minister. The report proceeds, "What justification there could be for either Mr. Creighton or Mr. Williams repeating it I entirely fail to see."

His conduct in respect of Paradise Island is along the same lines. When the subject of Paradise Island was first raised, I rang the Australian Workers' Union and said, "Where did you get this rubbish about Paradise Island. Paradise Island is freehold property and does not belong to the Crown at all." Paradise Island was mentioned by Creighton in a letter to Williams. I mention this to show that Creighton is a man who cannot be loyal and who manufactures evidence that is entirely untrue. His actions justify his dismissal by the Government. In "The Worker" of 21 November, 1955, the following questions appeared:—

"What does the Minister for Lands know about Paradise Island, on the Nerang River just outside of Southport?"

"Does the Minister know if there are any secret negotiations in progress relating to the lease or purchase of the lands?" Those questions were based on information given by Creighton to Williams. I shall give the facts in regard to Paradise Island to show how wrong Creighton was, what a deliberate liar he was and the insinuations he was prepared to make. It became freehold land by deed of grant No. 38195 to a man named John Atchells on 29 January, 1879. This property has been freehold since 1879 and was not under the control of the Crown. On 21 November, 1955, as the result of information supplied by Mr. Creighton, and manufactured by him and sent to Mr. Williams there was the inference that the Premier knew something about it and that there was a secret lease granted. The land was transferred in 1933 to a man by the name of Boren and to a man called Parsons in 1949 and to Young and Yowe in 1953 and to Chevron Q'ld. Ltd. in 1955. As I said this had not been leasehold land since 1879, yet the inference goes out. In his findings the Commissioner said—

"I can find not the slightest evidence, or even suggestion, that there was on the part of Mr. Creighton or Mr. Korman—on the evidence of the only two persons concerned in the negotiations—or of any other person whatever any corrupt conduct in respect of any dealing or proposed dealing with Paradise Island or the land added to it by accretion."

There is another piece of evidence of the attitude of Mr. Creighton in an endeavour to smear Mr. Foley and the Government.

Let me go further and refer to the allegation of the gift of a racehorse to Thomas Andrew Foley. It was alleged that a racehorse was given to Mr. Foley, but let me read what the Commissioner found in connection with that allegation. I do not propose to read the whole of it. I simply give this information to show what deliberate lies were told and what evidence was manufactured in a desire to injure the Government. There is also the allegation in one of the letters from Mr. Creighton to Mr. Williams that Mr. Loughnan had arranged for the Minister and Mr. Taylor to visit Dutton River as his guests and he would pay their air fares. By the way, I got an apology from "The Courier-Mail" of their reference to me in this inquiry but I have not yet got my costs. The matter is still under consideration. The Commissioner said—

"There is no reason that I can see why they should not have been Mr. Loughnan's guests at Dutton River or anywhere else. Mr. Creighton said that the Minister told him of the arrangement and the Minister denied that there was any such arrangement and that he told Mr. Creighton that there was. If he did tell Mr. Creighton I can hardly think he would tell him that Mr. Loughnan was paying the fares. However, as there is no suggestion of corrupt

conduct on the part of or in relation to Mr. Loughnan it is unnecessary for me to resolve the conflict."

That is evidence again of the dismissal of the allegation made by Mr. Creighton against the Minister. Let us go further and deal with the alleged gift of a tractor to Thomas Andrew Foley or some other person, and again the Commissioner said—

"There is no evidence whatsoever that the Minister or any other person received a gift of a tractor in connection with any transaction with which I am concerned or, for that matter, in connection with any other transaction."

Then we have the statement by hon. members of the Opposition of a complaint to two Ministers of the Crown with regard to Lundavra, that certain improper things were taking place. The defence of Creighton put up by the Opposition seemed to be based on the fact that he made a complaint to the Secretary for Lands and the Secretary for Labour and Industry with regard to Lundavra. He made no allegations at all with regard to anything improper in connection with the extension of the lease. There was no evidence of anything corrupt in connection with that, but the suggestion of the Opposition is that as a result of his exposure in connection with Lundavra the Commission made findings of corrupt conduct. Let me read the findings of the Commissioner in regard to Lundavra. He said—

"As I said at the outset I do not propose to set out the evidence in detail. I listened to it and have since read it and by it I am left unconvinced that there was any corrupt conduct in connection with the Lundavra or Bullamon Plains leasehold.

"I have no doubt that Mr. Cameron, who struck me as a man of forceful personality and without inhibitions in advocating his cause, through frequent visits to the Minister converted the latter to his own views as to that cause, but it is a far cry from conversion to corruption. On all the evidence I am not satisfied that there was any corrupt conduct on the part of any person in respect of any dealing or proposed dealing with the leaseholds comprising Lundavra."

Again the Royal Commissioner discounted an allegation made by Mr. Creighton about certain actions of the then Minister.

There is not one scrap of evidence that anything brought forward by Creighton was of any value. Not one finding was made that would justify his actions. The transcript of the evidence shows clearly that Creighton himself said, "I have no evidence, I have only suspicions." He had suspicions about Paradise Island; that allegation was blown out. He had suspicions about the racehorse; that allegation was blown out. He had suspicions about the tractor; that allegation was blown out. He had suspicions about Lundavra; that allegation was blown out. Creighton was blown out on

every matter that he brought forward. I would not be advocating the dismissal of any man if I thought he was being treated unfairly. I have always tried to give everybody a fair deal. As Attorney-General, before I make a decision on any matter referred to me I always get the other fellow's point of view.

In his findings on the allegation concerning Paradise Island, Mr. Justice Townley said—

"Exhibit 69, written by him (Creighton) to Mr. Williams on 2 November, 1955, after a reference to 'a bit of dirty work done over Lennon's Hotel at Broadbeach,' continues—'and at the same time ask the Government what it knows about Paradise Island in the Nerang River at Southport.'"

I have already dealt with Paradise Island. The findings continue—

"The letter concludes with the postscript—'P.S.: You can keep the Lennon's Hotel and Paradise Island jobs till after I see you.'"

"The letter opens with the information that the writer was due in Townsville on 14 November, 1955, and would like to see Mr. Williams whilst there. The evidence of both Messrs. Williams and Creighton is that they met in Townsville and the information which was sent to Mr. Bukowski in Exhibit 46 can only have been based upon material supplied by Mr. Creighton to Mr. Williams upon that occasion . . .

"In examination-in-chief, Mr. Creighton said that he did give Mr. Williams some information about Paradise Island which had some relation to the administration of the Lands Department but did not remember when he gave that information other than by the brief reference in Exhibit 69."

As Attorney-General, I know something about Paradise Island. At one stage an area was added to Paradise Island and the question was raised as to who owned the additional area. That question had to be decided by my department.

My departmental legal advisers said that where land is lost by erosion the owner must be the loser and where land is obtained by accretion it becomes the property of the owner. That is the only matter on Paradise Island referred to my department. Creighton's allegation shows the depths to which he was prepared to stoop in his attempt to damage the prestige of the Government, and he is supposed to have had the interests of the Government at heart!

He said—

"No-one can or would believe them. There must be a purge if Labour is to live here. Gair, Walsh, Power, Moore and others have had it and can only lead their Party into the Mulga."

He made an attack on members of the Cabinet and said that they would have to go. Let me inform Creighton and others that at

the last election my majority was increased by 48 with 2,000 fewer electors on the roll, so I went further ahead and all my colleagues were returned with me. Creighton failed in his attempt to defeat the Government despite his resort to dishonourable practices.

The commissioner continues—

“The information must, in my opinion, have been given as I have stated above, for I cannot conceive, nor is it contended, that Mr. Williams invented it.”

So it is evident that in this departmental character assassination Creighton was deliberately fabricating facts for his own purposes. The question before the House is whether that sort of conduct is misbehaviour. If Creighton is allowed to go on with that type of conduct the same rule should apply to every public servant. Instead of standards of loyalty and decency the standards of the Public Service would then be treachery and deceit. The matter is important and I submit that, particularly in view of Creighton's high office, the punishment of dismissal is inescapable.

For the public service to function there must be co-operation between its members on the one hand and with the Government for the time being on the other. The link between the executive and the public service is the departmental head, the position which Mr. Creighton occupied before his suspension.

Does the House think that a man who would resort to such low and contemptible methods as those employed by Creighton could have the confidence and trust of any minister or government or of the staff of which he would be head if restored? What would Mr. Creighton's own reaction be if one of the members of his staff employed against him the tactics he has employed against the Government? The man would be ruthlessly dismissed.

Creighton's whole course of conduct is quite unconscionable. The invention of facts, the invention of baseless inferences, and general course of conduct involving character assassination are such as no man of conscience would resort to. There is nothing so low that Creighton would not stoop to it. If every public servant behaved in the same way no Government could carry on.

On his own admissions, Creighton has no defence. His conduct has been exposed to the light of day and it will not bear examination when measured against the standards of honesty, loyalty, and decency. Only one course is indicated for such a man and that is dismissal from the service.

Mr. BJELKE-PETERSEN (Barambah) (7.15 p.m.): There are many issues connected with the motion that call for debate. We have seen that from the various angles of approach by hon. members on the Government side, the hon. member for Mundingburra and the hon. member for Mt. Coot-tha. Many of them will probably have to wait for another day. I feel impelled to speak on

the motion because it is not in keeping with the findings of the royal commission on Land Leases, where Mr. Creighton was exonerated by the Commissioner and the Minister proved guilty. It seems incomprehensible that on the one hand the Government condemn the innocent man whose accusations and suspicions proved true in many instances, while on the other hand they do nothing about the guilty party. Ministers have referred at length to the deceitful and underhand methods adopted by Mr. Creighton.

Mr. Gair: That depends on your own standard.

Mr. BJELKE-PETERSEN: That is quite true. Many of these suspicions mentioned by Mr. Creighton—

Mr. Power: And disproved by the commission.

Mr. BJELKE-PETERSEN: Were proved by the commission.

Mr. Power: Disproved by the commission.

Mr. BJELKE-PETERSEN: Some cases were disproved by the commission simply because there was not sufficient evidence on which to base a finding. There is no doubt that Mr. Creighton brought to the light of day many things that the Commissioner eventually found. There is also no doubt that the Government practise deceitful and underhand methods in their own business.

Mr. Moore: Give us an instance.

Mr. BJELKE-PETERSEN: Take the Attorney-General. When he was speaking I could not help but think that there may be different degrees of deceit.

Mr. Power: You know the lot of them.

Mr. BJELKE-PETERSEN: I will not say anything in relation to the hon. gentleman.

Mr. SPEAKER: Order!

Mr. BJELKE-PETERSEN: The hon. gentleman spoke about deceit. He spoke of the penalty people should pay irrespective of who or where they are. I could not help but think that the Minister himself and some of his officers continually practice deceit.

Mr. POWER: I rise to a point of order. That is offensive to me and I want it withdrawn.

Mr. SPEAKER: The hon. member is imputing improper motives to the Minister and I ask him to withdraw the statement.

Mr. BJELKE-PETERSEN: I withdraw it. I said there might be different degrees of deceit. His officers go into business places pretending that they are normal, every-day citizens of the community. They make purchases from these unsuspecting business houses to find out whether they are selling at prices approved by the Minister. The same applies in other places, for instance, the

Police Department. The Attorney-General and some of the other Ministers engage in underhand methods—

Mr. SPEAKER: Order! I have warned the hon. member that he must not impute improper methods to any hon. members.

Mr. BJELKE-PETERSEN: I withdraw. Much has been said about revealing confidential matters. Many times people go to a Minister and tell him something confidentially and expect him to keep the matters confidential, but we find that Ministers of this Government use that information when it suits them in this House.

Mr. Power: You have never referred anything to me of a confidential nature that I have not treated as confidential. When you made application to get a chap out of gaol for interfering with a girl under the age of 12 years—

Mr. SPEAKER: Order!

Mr. BJELKE-PETERSEN: The Minister is imagining something. I merely asked the Minister to investigate the case at the written request of the person concerned. I can recall the occasions if hon. members wish to have the instances brought before the House where confidential matters have been revealed. Take the case of Mr. Ewan, who was member for Roma. The then Secretary for Public Lands and Irrigation revealed all sorts of things that should have been treated confidentially by the department. Hon. members opposite condemn a man for revealing something of a confidential nature, yet they themselves are open to condemnation. Hon. members opposite should be careful of the attitude they adopt. I consider the Government's action low and despicable. I say that for two reasons. I refer to the way in which they dealt with Creighton's dismissal. I refer to their action of condemning him and sentencing him—sacking him, as the hon member for Hinchinbrook said.

Mr. Jesson: I did not say that. That is another distortion of the Press.

Mr. BJELKE-PETERSEN: If the Government had decided that he should be dismissed, if they had sufficient evidence in the past to condemn him, it was hypocritical to bring him here today.

Mr. Burrows: He was not brought; he came here.

Mr. BJELKE-PETERSEN: He came of his own accord. I am pleased he did. I feel that he gave a worthy account of his actions and showed that not he, but the Government stand condemned by their action.

Mr. Walsh: May I ask this question: did you make representations on behalf of Cameron in respect of "Lundavra"?

Mr. BJELKE-PETERSEN: No. I could go on at considerable length and deal with some of these questions, but I know that hon.

members will be getting weary. I say that the consequences of the Government's actions will be far-reaching throughout the Public Service. In the days to come what public servant will be prepared to stand for honesty and integrity in any department? This Government and other Governments in the future will have the opportunity to commit malpractices.

Mr. Power: That is why the Opposition were returned as the Opposition.

Mr. BJELKE-PETERSEN: That leaves the opportunity available to this Government in the future. As the Leader of the Opposition reminds me the Government should resign and go to the people on this issue. The public generally feel much stronger on this matter than the Government would lead one to believe. Knowing the treatment meted out to Mr. Creighton, what public servant would be prepared to take the risk of dismissal by revealing corrupt practice? This action amounts to the sacking of a person found not guilty, and the Government are responsible for it. The Premier and several Ministers have some responsibility in the matter. It has been said that Mr. Creighton approached two Ministers on one issue only, which subsequently he was unable to prove.

Mr. Power: The evidence disclosed that.

Mr. BJELKE-PETERSEN: Yes, but at the time he reported that matter it was not known that eventually the royal commission would find in that way. We also know that the A.W.U. approached the Premier and brought to his notice a number of these matters.

Mr. Gair: Why was I not told that Creighton was their informant?

Mr. BJELKE-PETERSEN: For the same reason, I suppose, that the Premier did not reveal the letter he had received.

Mr. Gair: What letter? I said there was no application.

Mr. BJELKE-PETERSEN: The Premier did not tell us that at the time.

Mr. Gair: I still say there was no application.

Mr. BJELKE-PETERSEN: We were led to believe by the Premier that he had not received anything. It was a request.

Mr. Gair: I would not ask the hon. member to believe anything.

Mr. BJELKE-PETERSEN: And I would have a lot of trouble in believing a lot of the things we might be told by the Premier.

Mr. Gair: The hon. member would only believe what suits him.

Mr. BJELKE-PETERSEN: Although his actions were unorthodox, the ultimate result, the findings of the royal commission, justify his bringing those facts to light. The findings of the royal commission were that Mr.

Creighton had endeavoured to bring to the notice of members of Cabinet the fact that things were not as they should be in relation to certain land administration matters. As no action was taken as a result of his representations, he then sought other avenues to give publicity to these things.

The Government's action in suspending Mr. Creighton before he was proved guilty is a double wrong. The Treasurer happened to be acting Secretary for Public Lands and Irrigation at that stage. He suspended Mr. Creighton before he had been proved guilty.

Mr. Power: Creighton admitted his guilt at the Bar of the House.

Mr. Walsh: I shall justify my action when I rise to speak.

Mr. BJELKE-PETERSEN: The Treasurer should apologise to Mr. Creighton. Mr. Creighton has done this State a service in bringing to light the practices that were going on in the Lands Department, and his action will be a deterrent to similar malpractice in years to come. In spite of what the Minister has said, there was a certain amount of spite and reprisal in the suspension of Mr. Creighton. In the first place, the Government should have waited before suspending him to see what the findings of the royal commission were. They should have waited before dealing with the man as they did. The findings of the commission exonerated Mr. Creighton but proved Mr. Foley guilty. No responsible Government should be associated with such actions. The fact that Mr. Creighton was prepared to reveal things he knew and believed speaks in his favour.

Mr. Power: He was not prepared to reveal it because he tried to hide his identity.

Mr. BJELKE-PETERSEN: I know that many people would have been prepared to say that it does not concern them and that they would do nothing about the matter, but what he did shows that Mr. Creighton had some character and integrity and could be relied upon to uphold the policy of the Government.

I have already given an analogy so far as Government officials are concerned. The action taken by the Government was not honest because the commission brought to light certain things. We can only conclude that the Government's action in upholding the Treasurer in the earlier suspension of Creighton is seeking to save face. It is a matter of trying to make Mr. Creighton the scapegoat as it were, to detract from the actual findings of the commission. Their actions will go down in history as an episode revealing their condonation of maladministration and malpractices, something of which they should be ashamed. The man whom you would think should not be punished is being punished whereas the other man is going free.

You, Mr. Speaker, gave a ruling in connection with Mr. Hickey. As to the assisting counsel to the commission, Mr. Dan Casey, I say that the ordinary person and I myself, for instance, could be forgiven for believing that he was the prosecuting counsel.

Mr. Walsh: That is unfair.

Mr. BJELKE-PETERSEN: I will stand by that statement.

Mr. Walsh: You are biased and prejudiced.

Mr. BJELKE-PETERSEN: I say that the assisting counsel was biased.

Mr. Walsh: You would like to have Mr. Casey to defend you if you were charged with a criminal offence.

Mr. Moore: Give us an instance of his unfairness.

Mr. BJELKE-PETERSEN: I know that every fair-minded person will admit that. It is an undeniable fact.

Mr. Walsh: Do you know that Mr. Dan Casey has a retainer from the "Courier-Mail"?

Mr. BJELKE-PETERSEN: I am not acquainted with who retains him. The fact remains that he was assisting counsel to the commission. If it is good enough for the ex-Minister to retain his position in this House, we are more than justified in demanding that Mr. Creighton be reinstated. There is no real foundation for the charges that the Government are making against him. By their action the Government will make public servants afraid to play their part in ensuring that we have honest government. No fair-minded citizen would believe that the Government's action in dismissing Mr. Creighton comes within the bounds of British justice. In my opinion, it would not come even remotely within those bounds. That is another reason why I intend to vote against the motion.

Hon. V. C. GAIR (South Brisbane—Premier) (7.36 p.m.): Today's debate has been unique in the history of this Parliament. It must cause some measure of regret, because we have seen before the Bar of the House a man who formerly possessed the confidence of the Government of this State to a degree sufficient to merit his promotion to the high and exalted position of Chairman of the Land Administration Board. That position is provided for in the Land Acts, and is much above the normal position of a public servant. Indeed, it is a higher position than that of the under secretary of a department although in actual fact, having regard to the duties discharged, I do not suppose it would be any more arduous, onerous or responsible. However, it commands at least the same measure of loyalty and integrity to the Government and the people of this State.

It does not give me any pleasure, as Leader of the Government, to support a motion that an officer be discharged from his position. On the contrary, irrespective of whether it is a message boy or an under secretary, it grieves me greatly. I derive no pleasure from hurting people or doing anybody an injury, whether it is merited or not. However, as the Leader of the Government, I have a responsibility to do the right thing by the people of this State. As long as I occupy that position, having regard to my understanding of my obligations and my requirements, I shall discharge that responsibility, by the grace of God, to the best of my ability, conscientiously and well. Irrespective of persons, in the interests of Queensland and its people I shall ensure that those under my charge do equally as well in the discharge of their responsibilities.

Creighton appeared before the House today primarily to state a case why he should not be discharged from office.

Mr. Munro: The resolution did not say that.

Mr. GAIR: Oh yes, it did.

Mr. Munro: It gave him the opportunity of answering the cause of his suspension.

Mr. GAIR: That is so, and of showing why he should not be discharged.

Mr. Munro: No, the cause of his suspension.

Mr. SPEAKER: Order!

Mr. GAIR: He accepted the opportunity and he came before the House. His chief mission was to launch an attack on me as Leader of the Government. However, I am not very much concerned about that. In my political life I have been accused of many things and if I had stopped and shuddered at every accusation made against me I should not have done as much as I have succeeded in doing. Rather should I have been daunted and intimidated by them. But my conscience is clear. When one is charged or accused it is important to ask if the accuser is a worthy person, a man who has at least done his job and who is in a position to accuse. In that case one might well examine himself. But today I have been accused of dereliction of duty and all sorts of things by a man who has failed to do his appointed task and who now wants to pass it on to someone else.

I think hon. members will concede that a man's first duty is to defend himself; indeed, self-preservation is the first law of nature. So I begin by defending myself against the attack made on me today.

The weaker limb of the Press combine of Brisbane carries the headline "Gair accused by Creighton." Had I been accused by anybody of greater standing I should perhaps have been distressed and disturbed, but I am not, because the criticism matters

nothing. When I have finished my speech I think the public of Queensland will understand just what I mean. However, in the name of democracy let me express the hope that the Press, who have played unfairly on this matter up till now, will at least give as much space to my reply as it has given to my accuser. I say that the Press have treated this case very badly. Because of their comment I believe that none of them has been industrious enough to read anything more than the Commissioner's report. They have not read the transcript of evidence, which is all-important in dealing with this case. We have heard the unfortunate admission by the Leader of the Opposition that he had not read the transcript. I challenge any hon. member of the Opposition to say truthfully that he has read the transcript of evidence. The Commissioner's report in itself is not sufficient. It is wrong for the Press and for those who subscribe to the Press simply to take the Commissioner's report without reading the transcript. The report merely deals with the Minister and corruption.

Mr. Hiley: If that is accepted should not Parliament have been asked to print the transcript?

Mr. GAIR: It is available in the library. I would at least have expected the Leader of the Opposition to read the transcript. He has no administrative responsibilities as I and my Ministers have. Since the elections he has had nothing to do but read the transcript.

Mr. Muller: Has not Mr. Justice Townley made his findings on that transcript?

Mr. GAIR: The hon. member can read the transcript of evidence.

I will deal with Creighton's criticism of me as Premier. He said—

"If Parliament condemns me for a breach of my duty because of my failure to report these matters to either the Government or Parliament its verdict will inescapably condemn also the hon. the Premier and the mover and seconder of the motion for my dismissal, all of whom were undoubtedly aware either of part or of the whole of the matters which formed the subject of my correspondence with Mr. Williams, and none of whom reported them to this Parliament."

What an irresponsible statement! Creighton has never seen me. I have not had a conversation with Mr. Creighton in my life. He saw two Ministers and he dealt with one particular case, "Lundavra." He made no suggestion of corruption. He suggested then that Cameron was to get something that he believed he was not entitled to, that we were departing from policy. After all, under-secretaries do not determine policy. The Government can change their policy every week if they want to, not to suit individuals but if they believe that an existing policy is reacting unjustly on some person or some

number of people. He saw these two Ministers and he did not report any corruption whatsoever. Here today he went on to say—

“It was proved in evidence before the royal commission and not denied in any particular by the honourable the Premier that in July, 1955, he was fully informed by the full executive of the A.W.U. of the matters which I had discussed with Mr. Williams. The undisputed evidence of Mr. Bukowski and Mr. Williams is that he expressed concern at the matters so reported to him and promised a top-level inquiry.”

It may be undisputed evidence from the Commissioner's point of view but I challenge Mr. Creighton or anyone else to prove that I promised a top-level inquiry to anybody.

I dismissed Cameron's case because I knew where Cabinet was going. The other matters all happened before Creighton's appointment. They are ancient history. As to Bell's case, he knew no more about it than I did. It was resurrected from a political tomb where it had been stored for seven years.

Let us take the other reason why the weaker member of the Press combine headlines that I am accused:

“Parliament also knows that the Premier did not in fact take any steps whatever to have the matters properly investigated and, moreover, that in the following month, when they were the subject of debate in this House, he dismissed them as baseless and malicious gossip.”

That is true. There was no concrete evidence given to me but you will recollect that I said immediately a charge was made I would appoint a royal commission. A royal commission was appointed within six or seven hours after I read “The Courier-Mail” which contained a report of a speech made in the Senate by Senator Wood. I encouraged a definite statement so that I might have a commission and I did it with the support of my Cabinet.

Mr. Muller: Thinking you would put Senator Wood into trouble.

Mr. GAIR: Not that. This afternoon it was even suggested that if we had stopped to think we would not have done it. I was not concerned about Senator Wood or any individual member of the Cabinet but about the prestige of my Government.

Government Members: Hear, hear!

Mr. GAIR: I had the support of my Government, hence I ordered a royal commission without delay. I was disappointed to find that Senator Wood did not stand up to his responsibility. He played the part of an irresponsible—I was going to say something else—when he elected to hide behind privilege and not give evidence of what he knew.

Mr. Dewar: Were you disappointed at the findings of the commission?

Mr. GAIR: I accept the findings of the commission.

Mr. Dewar: Were you disappointed with them?

Mr. GAIR: I am not saying whether I am disappointed or not.

Mr. Walsh: Your face is not too clear.

Mr. Dewar: It is as clear as yours will ever be.

Mr. GAIR: The hon. member wants to know whether I was disappointed. Naturally I would be disappointed that a Commissioner should find a Minister of my Government guilty of corruption. As a responsible leader, of course I was disappointed and, to say more, I was surprised. I shall go on to say in reply to Mr. Creighton who talked about my taking no action, of course I did not. It would be impossible to follow up all the accusations that I hear. I am fully occupied now. Let people come and make a charge and substantiate their statements and they will be investigated on all occasions. I am not here to be the receptacle of a lot of diabolical statements many of which are based on hatred and jealousy, personal ill feelings of one for another. I am not going to receive that kind of stuff and hence I took no action, particularly in view of the fact that when the A.W.U. came to me they came in good faith and said, “We do not want the Minister here; we want to have a talk about things as you are part of the Labour Movement.” There was no record taken—hon. members know that from previous debates. They came to me in preference to publicising this in the paper. Within a week or more—not more than 10 days—they featured their deputation to me in their paper. Would that encourage you to proceed with any investigation which was supposedly initiated on such a basis? It was then that I said that Mr. Bukowski or anybody else who had something definite to say against any Minister of the Government should come forward and I would investigate the matter. Today we heard Mr. Creighton charge me with taking no action after receipt of his information.

I listened to the Secretary for Public Works and Housing and the Secretary for Labour and Industry when they discussed the matter, and I knew Cabinet policy, not that I believed our policy was absolutely correct. It struck me that our policy might mitigate against the leaseholder who was doing something, as compared with the leaseholder who was not effecting improvements. It was then decided that Mr. Bergin should make a report. Tonight we heard the repeated charge that I misled this Parliament. Mr. Creighton in the article published in “The Sunday-Mail,” and I do not blame that newspaper for publishing it, said that I misled Parliament when I stated there was no application. I repeat that there was no application. You cannot regard as an application a letter received from a person complaining about our policy, pointing out

all he had done and asking for some consideration. That is not an application to the department in a prescribed form. It is merely a letter to me as leader of the Government, a letter dealing with our policy.

Mr. Aikens: If it is not an application, why was Mr. Bergin instructed to make a report?

Mr. GAIR: Because the contents of the letter struck me as worthy of investigation, and as leader of the Government I have the right to appoint any officer to investigate any matter that comes under my notice, whether the matter is contained in an application in the prescribed form or in a letter.

Mr. Hiley: May I ask the Premier whether the writer asked for anything in particular terms in that letter?

Mr. GAIR: He naturally spoke about his own property.

Mr. Hiley: Did he ask for anything?

Mr. GAIR: Nothing in particular. He spoke about what he had done on his property, he mentioned the acreage and the pear infestation. He gave the history of his property, but he did not ask for anything in particular. He said he thought that leaseholders who were prepared to spend money to improve their properties should not be forced to vacate their properties on the expiry of their leases. This is the document that is called an application. It is not an application, it is a letter.

I content myself with these quotations—

“It is always easy to accuse with impunity,

It is wise to challenge the character of the accuser.”

“Nothing is so swift as calumny;

Nothing is more easily uttered;

Nothing more readily received;

Nothing more widely disbursed.”

Then we have this quotation from Horace—

“Whom does lying calumny alarm except the liar.”

I am not disturbed at the accusations by one of the character of Mr. Creighton.

The resolution which is the subject of this debate is couched in clear and unambiguous language; the only issue for Parliament is whether Vivian Rogers Creighton was guilty of misbehaviour by communicating information which came to his knowledge as Chairman of the Lands Administration Board to Cecil Wallace Edgar Williams, who was not a person entitled to receive such information, in order to make it available for publication in a newspaper, and whether Mr. Creighton made complaints in a clandestine manner concerning the administration of the Lands Department to Williams, whereas his proper course of duty was to refer the complaints to either His Excellency, the Governor, Cabinet, myself as Premier, or to

Parliament. Hon. members will note that in his defence today he made no reference as to why he did not communicate the matter to Parliament. He was charged with systematically deceiving the Government, and in failing in his duty of loyalty to Her Majesty's advisers. The issue for hon. members is whether the suspension which was effected by the Governor in Council on 11 April last on the above grounds should be lifted or whether, as a result of the proceedings of the royal commission on land matters, the suspension was justified, and whether the appropriate action for Parliament to take is to terminate the commission in accordance with which Mr. Creighton holds office as Chairman of the Land Administration Board. In other words, has Mr. Creighton been guilty of a breach of the trust and confidence reposed in him by his commission; has he been guilty of treachery to Her Majesty's Ministers, and does his conduct, established by evidence and his own admissions, render him ineligible to continue in office? In relation to his suspension and in anticipation of Parliament's being required to determine this matter, a good deal of propaganda, as I have said before, has been carried out through the Press. However, it has been stated, with a view to creating the impression that he has been a man motivated by good conscience, that there would not have been a royal commission had it not been for the activities of Mr. Creighton. Let me dispose of this false hypothesis. Mr. Creighton, directly or indirectly, had nothing to do with the appointment of the royal commission. It has been the policy of my Government to appoint royal commissions when concrete charges have been made. Mr. Creighton had nothing to do with it; indeed, he hid in the background. Certainly he supplied information to others, but if Senator Wood had not made his statement the royal commission would not have been appointed.

Hon. members will remember that during the last session of Parliament a good deal of time was taken up because of the articles which were then published in “The Worker” newspaper. The Government then adopted its consistent attitude that if and when a concrete charge of corruption or maladministration was made, it would be investigated immediately. We lead up to Senator Ian Wood's statement which charged an innocent individual in the person of Mr. Peter Fleming. He made a scurrilous and unfounded attack on an innocent person, and this was contemptible conduct, particularly in view of the fact that the commission found that there was not a scrap of evidence to support Senator Ian Wood's statement. I will not canvass or countenance the question of the immoral cowardice displayed by Senator Ian Wood in hiding behind his Parliamentary privilege and refusing to appear before the royal commission, but in fairness to Mr. Peter Fleming, I wish to place on record the

findings of the commission which are to be found on page 7 of the report. The Commissioner said—

“There was not a scintilla of evidence that Mr. Peter Fleming ever had even the remotest connection with any dealing with any Crown leasehold. As no attempt whatsoever has been made to sustain before me the allegations made against him in the Senate or to provide information as a basis of investigation, I see no reason why I should not unreservedly accept Mr. Fleming’s evidence, which I do. Indeed, there has been during the course of the proceedings no suggestion that I could or should do otherwise.

“I find that Mr. Peter Fleming has not at any time had any connection with any dealing with any Crown leasehold and therefore I also find that he has not been guilty of any corrupt conduct in respect of any such dealing.”

I hope that no member of this Assembly will ever be so cowardly as to make a charge against any person outside Parliament based on lies in the manner adopted by Senator Ian Wood. Such an action could result only in bringing discredit on Parliament and doing irreparable harm to an innocent person. It will suffice to say at this stage that Cabinet decided immediately that a royal commission be appointed to inquire into the statement by Senator Ian Wood. The terms of reference, I think all hon. members will agree, were generous and wide, and enabled the commission to carry out its deliberations without restriction. Counsel to assist the commission were appointed, and counsel retained for the Department of Public Lands.

It is pertinent here to mention that up to that time no allegation, or even suggestion, had been made by Mr. Creighton of maladministration or corrupt dealings on the part of the then Secretary for Lands and Irrigation. Up to that time Mr. Creighton’s voice had not been heard; there was no complaint by him, or by anybody else, that the Minister was corrupt. In fact, Mr. Creighton had helped his Minister in preparing replies to newspaper articles, to which I have already referred, and actually attended, in company with his Minister, conferences with counsel for the Department of Public Lands. Could you contemplate having around you men of such duplicity and deceit? It was not until he was exposed as the authority for the information upon which newspaper articles were based that his Minister, or the Government, or I, had even a suspicion that Mr. Creighton was at variance with the administration of the ministerial head of the department on any matter of major policy.

It is true that Mr. Creighton had a discussion with two of my Ministers. They have already told you about those interviews, and I do not propose to go over that ground again. Those interviews were arranged by Messrs. McLean and Lucy, Members of the Land Court, and in fact Mr. McLean

endeavoured to persuade Mr. Creighton to see me, as head of the Government. In view of what Mr. Creighton said here today and what he has told “The Sunday Mail” as to why he did not come to me, I shall quote what he said in evidence on page 343 of the transcript—

“I don’t feel I can go to the Premier over the head of my Minister because I have nothing substantial to offer.” He did not feel like coming to me over the head of his Minister, because he had nothing substantial to offer. Yet he wrote an article for “The Sunday Mail” that made me out a liar and the mis-leader of this Parliament, and came here today and made accusations against me.

It is relevant to quote here what Mr. Williams, Northern District Secretary of the A.W.U., had to say on this matter. He is the Mr. Williams referred to in the motion. I quote his evidence from pages 294 and 295 of the transcript—

“Q. You told us you took steps to keep the name of Mr. Creighton secret as your informant?

A. Yes.

Q. You had some conception that it was to be always a secret?

A. Yes.

Q. Always?

A. Yes.

Q. Did you intend to disclose to this Commission?

A. I did not.

Q. Why did you not bring this man face to face with the Premier?

A. It was not his wishes.

Q. It would have forced an inquiry immediately?

A. Yes.”

This evidence on the part of Williams was in no way controverted. So much for the desire of Mr. Creighton to have the allegations investigated. Here we have definite opportunities presented to Mr. Creighton to have a commission of which he made no use. Instead he wrote a series of letters to Mr. Williams for publication in a newspaper. The letters will go down in history as sinister and vile. It is questionable whether they would ever have seen the searching light of the royal commission had it not been for Mr. Bukowski.

On 9 March, 1956, Mr. Williams rang Mr. Bukowski and the following conversation ensued:—

“Mr. Bukowski: I have placed all your evidence before the Commission and that means that you will get a subpoena.

“Mr. Williams: How will I be able to protect my informant?

“Mr. Bukowski: You can’t, I have dropped everything in. You have to look after yourself and this union too; you can’t make a fool of the union, Creighton’s name will have to go in.”

I propose now to deal with the letters. Let me explain that they are written from "V for Victory," meaning Creighton, to "E for Energy," not Aikens but Williams.

Mr. AIKENS: I rise to a point of order just for the record. Was that "not Aikens" in the actual transcript of evidence or just an interpolation by the Premier?

Mr. GAIR: No, I put that in for fun.

The first letter, which is undated but the date of which was subsequently established as being soon after 5 February, 1955, continued, with different intervals of intervening time, to 2 November, 1955. I will quote the opening paragraph and draw the attention of hon. members to Creighton's assurance to Williams that the letters contained factual information. This appears in Exhibit 57. Hon. members opposite will not have the transcript of evidence; they have not been sufficiently interested. Exhibit 57 says—

"I don't know how you want this done. If I give it in outline the 'write-up' man could go off the rails and if I set it up for printing there's a chance of being recognised. What follows is not in my usual style of writing and there are sundry small errors on the technical side which are immaterial to the case and don't effect the facts."

Mind you, they do not affect the facts; let me emphasise that part—the facts. It continues—

"Also these little bits of history cannot be contradicted!"

For convenience I propose not to deal with the letters in chronological order or even in consecutive paragraphs as I think they will be more intelligible for hon. members if I deal specifically with the issues raised by the letters.

First I will deal with "Lundavra" and "Bullamon Plains." Apparently they caused all the stir in the Department of Public Lands and brought the matter to light. Here was a man, K. B. Cameron, who, with his family, was affected by "The Lands Act Amendment Act of 1952." Under part 2 of the Act "any" lessee or lessees of a grazing selection or pastoral holding whose lease has more than seven years to run and whose land is suitable for subdivision into three or more blocks, two of which would be 4,500 acres or less in area, has the right to surrender and because of the advantage to the Crown of early surrender is entitled to priority over two blocks.

Mr. Cameron and his family hold three grazing selections near Thallon known as "Bullamon Plains" and four selections in a closer-settlement area in the Goondiwindi district. They have spent large sums of money on the development of their properties and rightly or wrongly Mr. Cameron claimed that this entitled him to some special treatment about this land. He represented his case vigorously to Mr. Foley as Secretary

for Public Lands, to Mr. Creighton as chairman of the Land Administration Board, and finally appealed to me as Premier of the State. No decision has been arrived at. It was discussed by Cabinet on 12 July, 1954. Because of the importance of the issues involved it was decided to instruct a member of the Land Administration Board to make an investigation and the matter could be considered in the light of his report. The investigation was also to be made into all other similar cases to Cameron's because I wanted to know whether our land policy was right or whether it discriminated.

Mr. RASEY (Windsor) (8.16 p.m.): I move—

"That the Premier be granted an extension of time to enable him to complete his speech."

Question—That the motion (Mr. Rasey) be agreed to—put; and the House divided.

Resolved in the affirmative under Standing Order No. 148.

Mr. GAIR: I desire to thank sincerely the hon. member for Windsor and all other responsible members of the Chamber for having conceded me an extension of time. I was dealing with the matter of appointing an officer of the Land Administration Board to investigate the question whether our policy was right or wrong. After all, I think hon. members will concede that the Government have the right to investigate any part of their policy, and alter it at any time. Unless a Government have sufficient flexibility in their policy they may run into ruin. I do not say in this case whether our policy is right or wrong.

It has been stated that I have misled this Chamber by saying no application had been received when I had dealt with the matter in Cabinet myself. It was stated here again today. I dealt with a letter from Mr. Cameron, as I have the right to deal with a letter from any elector who cares to write to me, and if it is important enough I can exercise the right to take it to Cabinet and obtain the views of my fellow Ministers. Not having a very wide knowledge of land matters I took it to Cabinet. The report was submitted to Mr. Creighton for his comments. As I have already said, no decision has been reached by Cabinet. It is important that members should realise this, that the mere obtaining of this report constitutes the basis for foul allegations implicating all of Her Majesty's Ministers. I shall now read an extract from Exhibit 57—

"For some time now there have been very nasty rumours about new leases for a man called K. B. Cameron. We have maps which show Cameron owns three grazing leases near Thallon called 'Bullamon Plains.' He has built a weir across the Moonie River without a licence and set out to flood a lot of his country. The work has been done with tax concession money and has been given a lot of publicity. But if his stock returns are dinkum

he is not carrying any more stock now than he did six or seven years ago and no more per mile than his neighbours do and they have no weirs with or without licenses."

These are extracts from Creighton's anonymous correspondence. I continue—

"It is rumoured this irrigation works was to be the excuse for giving Cameron new leases of another property near Goondiwindi. We have inquired about this place. It is called 'Lundavra' and is four grazing leases of first class brigalow country over 70,000 acres in size. This is the country the Government's New Settlement Act was aimed at—the brigalow country. The guts of this gutless Act is that any squatter in the brigalow country can surrender his expiring lease straight away and get two living areas for himself and anything left over is cut up for selection. If Foley's pamphlet on the matter is to be believed Cameron could get EIGHT living areas from 'Lundavra'. But Cameron wanted the lot. So he saw certain people and now all the dogs along the Moonie and the McIntyre are barking that Cameron says he has been promised new leases over both 'Bullamon' and 'Lundavra'."

"Every politician in the Talkshop has heard these rumours,—"

This is the language of this exalted public servant who, according to his own statement, is above a public servant. I suppose it is not too much for me as leader of the Government and the public to expect his standard to be at least up to that of the public service generally.

"... every grazier knows about it and it is talked of from Cairns to Canberra. We know a tame stooge is running around the country on a mystery hush hush job. People say he is finding the ammunition for a stunt to give new leases to certain people. There is talk everywhere of the price being paid for all this and who is to get it.

"Now all this may not be true but true or false a smear is being put on the Premier, his Ministers, members of the Parliament, and on the Labor Party. If it is NOT true the whole nasty business can be killed quick and lively. It only needs the Premier to say in a public announcement—no hedging—that his Government pledges itself not to give new leases to Cameron or anyone else whose leases are fit for cutting up. Which is Labor policy."

Mr. Creighton assumes the right to say what I and any Minister of my Cabinet may say. He feared that the policy to which he was married might be changed, irrespective of any view the Government may have that there was merit in changing the policy.

I now quote an extract from Exhibit 58—

"After the passage of Bucket of Whiskey's resolution on Monday the intelligent vote will NOT follow Gair & Co. No one can or would believe them. There must be a purge if Labor is to live here. Gair, Walsh, Power, Moore, and others have had it and can only lead their party into the mulga.

"The replies to those resolutions have not yet been framed and comment will be forwarded you when they are; it is possible the Ministerial reply will not follow exactly that furnished by his advisers."

That is a letter from the gentleman represented by the Press to be one prompted by noble motives and acting in the interests of the public of this State. That was his claim in "The Sunday Mail" and in his address today. What business is it of his as Chairman of the Land Administration Board where Gair, Walsh, Power, and Moore should go? He undertook, as he said, to tell them to inform the public of something unhealthy in the administration of the Department of Public Lands.

I now take an extract from Exhibit 59—

"Is the Cameron crowd to get new leases of Lundavra although it is in a declared closer settlement area and smaller leases alongside have already been cut up and selected. This is the £10,000 question and is on everyone's mind."

Perhaps he should have said "lips."

"Only a declaration for the public from the Premier can ever restore public confidence in this matter. Cameron has openly stated he is getting a new lease and has quoted the price."

Now I come to an extract from Exhibit 62.

"Mr. Dufficiency impresses on me that he has never made representations out of keeping with a Labor stalwart. To me he does this. Apparently the 'antis' as well as the 'santis' are aware of what is going on. One thing I DO know. If Cameron does not get what he has been promised he will SQUEAL. I put it like that to emphasise what he will do. He is about 5½ inches off centre at the best of times, a greedy unscrupulous fanatic and will he put the 'tops' in."

Again I ask is that the statement, the language, or the letter of a highly-paid public servant appointed by Act of Parliament, to be given to an unauthorised person concerning those in control of the Government of this State, and members of this Parliament?

I now come to Exhibit 63. This is what he had to say in that letter—

"You can take it from me that they are going on with this thing regardless and your deputation to Gair has not frightened them a bit. That is no exaggeration. I KNOW. The drill will be this. Cameron applies for lease extensions—probably has. The stooge recommends to Tom who takes it to Cabinet on a Tuesday goes through

Executive Council on Thursday. The law says the offer is then made and the lessee has 3 months to accept. But C. will be on the doorstep accept at once and from the quarter day following acceptance the thing is binding and CAN'T be upset. Now if the offer is made and taken just before the quarter day even the department staff won't know and then there will be no time for protests or anything. Home on the bit. Mr. deficiency now knows all this and his expert summing up is—money has already passed. I believe him but the thing is your deadline is 30th Sept. next. They could let it ride to December and put the thing through after all the members have dispersed for Christmas and when there could be no party meeting for a time but my opinion is, and its guided by things I see and hear is—they will do it soon and brazen it out. There will be no effective opposition from the Opposition if as I hear Corkscrew Jack has done his work with Sparkes. And any M.P. who goes out of line then will not get Cabinet support and Cabinet will have the dough."

I now come to an extract from Exhibit 63, in these words—

"I've seen one after the other reckon they could stop this thing. You people are the last left but if you want to stop it you will need to move fast and strong."

Dealing with an extract from Exhibit 64 we find—

"Well it didn't take long. Cameron was down the day after you left. I don't know all he was told except things were going to be a bit tougher—and pricier? But I DO know he was NOT told it was all off."

I read another extract from Exhibit 64, saying—

"I am credibly informed that Hilton is on the verge of a nervous breakdown and in a permanent sweat. This business is right in his electorate, he doesn't like it anyhow but as a tool of the Mick's Master he has to go along. Anyhow boy you can put it out of your mind that last Wednesday's effort stopped things. It's still on as much as before."

I come now to an extract from Exhibit 65—

"The Tilbooroo file would show Tom's letter to the Chairman on a new lease proposal and his reply and so would Kilcummin, and so would Bullamon Plains. All small things perhaps but they add up. No one would endorse a file 'So and so paid me so much for this.' There may be other files too but your adviser is a bit unwilling to send for files outside the scope of business the way things are."

"Apparently Gair told Tom he gave you people the brush off and set you back on your tails and you all admitted that you only had bar room gossip and were now convinced all was well. But this article in the Worker and Tele reports the Premier as agreeing he had heard things, etc., and is Tom SAVAGE with Gair—and distrustful

too. Put in a call for him and is going to play hell. There is no love lost there."

And so it goes on, but I feel that I am compelled to curtail the reading of some of the extracts—they are all in the record of the Commission. Many hon. members of the Opposition have not even read the evidence. These are letters written by a responsible officer. Can we find out how well supported he is in the statements he has made which he said in the first letter to Mr. Williams were 'actual? Let us first of all deal with the question of the £10,000, one that is on everyone's mind. He here indicates a specific sum, or does he? Later on it went up to £15,000. I suppose that is based on what he wrote when he said, "things were going to be a bit tougher—and pricier."

In Exhibit 63 he talks about Mr. Duffey and Mr. Taylor, but what I am hurrying through for is to find out how he stood up to cross-examination on all this. I am not concerned about his jibes and his references to me as the Mick's Master—all indicating, of course, that he is a man who was not equal to the job to which he was entrusted. He is prejudiced from more angles than one; he is prejudiced by the worst form of mental weakness, that is, sectarianism and bigotry, when he refers to me as the "Mick's Master" or the "Master of Micks," referring obviously to people who are co-religionists of mine.

Mr. Aikens: Where does he say you were the Mick's Master?

Mr. Gair: Obviously the hon. member for Mundingburra has not read the transcript of evidence, either. The irresistible inference from the record is that I am the Master of the Micks. It is a nasty term, but it does not disturb me very much. Everyone knows what religion I embrace, and I have never felt obliged to apologise for it. I hope I never will. I do not think any decent member of the community will ever ask me to. Up till now, I have never been asked to apologise for my religion. I exercise that right and I give it to others. Mr. Creighton apparently believed that, because Mr. Hilton was a co-religionist of mine, he would blindly follow me irrespective of principle or what was involved. That was indeed a dirty reflection on the character of Mr. Hilton.

Exhibit 67 leaves nothing to the imagination. This is his factual information—

"Cameron in town today, whether to pay out more or to see what's happened to the down payment, I don't know."

In Exhibit 68 we find on his factual information that "the threat" will keep them fairly honest meanwhile.

Now I come to the evidence on page 397 of the transcript. It reads as follows:—

"The Commissioner: There is talk everywhere of a price being paid for all this, was that statement in the exhibit based entirely on a telephone call?

Ans.: Yes.

The Commissioner: The anonymous telephone call?

Ans.: Yes.

The Commissioner: And nothing else?

Ans.: I cannot recall anybody mentioning a price."

Page 341 of the transcript of evidence reads—

"The Commissioner: That is the amount of £10,000?

Mr. Wanstall: Yes.

The Commissioner: In connection with Lundavra?

Mr. Wanstall: Yes.

By the Commissioner to Creighton: Have you any other information, other than received by virtue of an anonymous telephone call, about a sum of money, £10,000 being paid or promised to be paid, by Mr. Cameron to anybody?"

My accuser of today said, "No." He had nothing more than an anonymous telephone call.

Then we come to page 333 of the transcript, which reads—

"By the Commissioner: If you heard talk of a price being paid for all this and who is to get it, I would like to know what this talk was and where you heard it and when.

Ans.: The talk as to price was told to me over the phone and I do not know who from, but it was somebody who seemed to be aware of what was going on in that district.

Q. Was it an anonymous caller?

A. Yes, I have had several.

Q. Do you remember whether it was a trunk-line call or local?

A. No, a local call, they were all local calls that I got.

Q. And that is the only information you had upon the subject of a price being paid and who was to get it?

A. Yes.

Q. When you wrote this information to Mr. Williams?

A. Yes."

I have read some of that information tonight.

This is the man whom the Press, and some members of the Opposition, desire to support. As I said at the outset, I feel diffident about approaching this question, which deals with an officer of long service and standing. However, this man has been so irresponsible as not only to throw away his own livelihood, prestige and character, but also to impute improper motives to the Premier, his Ministers and others. He has libelled not only the Premier and Cabinet Ministers, but decent leaseholders and other members of the public. In the transcript of evidence hon. members will see statements made by this man against

people like Mr. Kruttschnitt, Mr. Jamieson and others, all of whom at some time or another had come to see me, as they had a perfect right to do.

I come now to page 406. Mr. Wanstall asked—

"You go on, still on the subject of 'Lundavra' and speak of the methods by which it might go through—'There will be no effective opposition from the Opposition, if, as I hear, Corkscrew Jack has done his work with Sparkes.' You have told us to whom you refer as Corkscrew Jack. Who is Sparkes?"

Creighton answered—

"Well, the Member for Aubigny."

The evidence goes on—

"Q. He is a Member of the Opposition.?

"A. Yes.

"Q. Can you recall who told you?

"A. My anonymous caller."

Now I will quote from the Commissioner's report. It says—

"In the letters written to Mr. Williams by Mr. Creighton there were suggestions that 'money had passed' in connection with 'Lundavra.' With Mr. Cameron's consent—after Mr. Wanstall had stated that he had information that Mr. Cameron had drawn an open cheque for £10,000—counsel assisting the commission and counsel for Mr. Creighton examined the relevant bank accounts and financial statements. No evidence was found of any such cheque. The only evidence of the passing of money or of an instruction to pass it—if it can be called evidence—is that that statement was made to Mr. Creighton by an anonymous telephone caller."

Again it was an anonymous telephone caller. My trouble is that I get a lot of calls from such people, particularly late at night, all of them telling me what I am not and some even suggesting that my parents were never married.

The report of the Commissioner continues—

"As I am not prepared to treat an anonymous statement as in any way establishing a fact I see no reason to pass an opinion on the question of whether or not Mr. Creighton received the call. I am prepared to assume—without deciding—that he did but that assumption carries the matter no further."

Whilst quoting from the Commissioner's report, a copy of which is in the possession of all hon. members—and at least they may have read that even if they have not read the transcript of evidence—I think it is desirable to insert in "Hansard" the remarks of Mr. Justice Townley on the right of a Crown lessee to approach any member of Parliament or any Minister. He said—

"There is, to my mind, nothing wrong at all in a Crown lessee approaching any Minister or Member of Parliament or anyone else in authority in an endeavour to

obtain some concession to which he thinks he is entitled. There is nothing wrong with it even though it may result in his receiving treatment which others have not had the opportunity of receiving. That is a question of policy and every alteration of policy must to some extent work what may seem injustice to persons who have altered their position under the old policy. But I cannot too strongly stress that it is the right of every person to submit his case and have his case considered and, if necessary, investigated before decision."

Did Cabinet do anything wrong when it appointed Mr. Bergin to investigate this? Of course not.

Whether Mr. Edgar Williams has any doubts about the propriety of Mr. Creighton's conduct is disclosed in his evidence on pages 289-290, in reply to a series of questions by Mr. Casey. The replies are very illuminating considering the great association that existed between Williams and Creighton. The evidence reads—

"Question: Do you regard in assessing a man's integrity the attribute of loyalty?"

Answer: Yes—that is part of integrity."

"Question: If by any chance . . . dissatisfied with Mr. Bukowski's . . . would you consider yourself justified in carrying out a surreptitious Press campaign against him?"

Answer: No, but . . . I would not take the dissatisfaction to Mr. Bukowski."

"Question: To whom would you take it?"

Question: In other words, the Cabinet of the A.W.U.?

Answer: That is right."

"Question: Don't you think in the same parity of reasoning you have given to me in relation to the A.W.U. that he should have made an official report to Cabinet?"

Answer: That would follow."

"Question: And to go outside into a Press campaign would be an improper thing?"

Answer: I would not go outside."

"Question: Because it would be improper . . . ?"

Answer: That is correct."

Let us consider more of these factual statements from Mr. Creighton. In Exhibit 58 he says—

"After the passage of Bucket of Whiskey's resolution on Monday the intelligent vote will NOT follow Gair & Co. No-one can or would believe them."

And so it goes on. I could read a lot more like that. Hon. members should read the transcript because you do not get this in the Commissioner's report.

Mr. GAIR: The Press clamoured for weeks for the full report I gave. You saw how they treated it. How much was the public given of the report I made available in pretty quick time considering all I had to read? The Leader of the Opposition who has no administrative duties to perform was saying that it was overdue, too late and all that sort of thing. I sat up until the early hours of the morning reading the transcript to make the findings available to the Press. I invite hon. members to look for themselves to see just how much of it was published. See just how the public has been served by the Press of the State on such an important matter in which the Press had made so much effort to influence the public mind. I do not believe that any person responsible for the writing of leading articles in the "Courier-Mail," "Telegraph" or any other newspaper has read the transcript of evidence. Until they have read it they do not know the story of Creighton. Even the hon. member for Mundingburra has said, "Where did you get this? I never heard that before."

If time will not permit there are others here equally industrious and vigorous to tell what remains unsaid.

Reference has been made to the Lennon's Hotel site. He heaped insult on the directors of a well-known company. Paradise Island was another thing that he sent on to Williams and which came to Bukowski. It was freehold property and had nothing to do with leasehold. This is the reliable gentleman who has been supported by some members of the Opposition. I think it must be conceded that the Leader of the Opposition disclosed the weakness of his case today. He has not only insulted legislators, members of Parliament, directors of companies and others, but I believe that he has done more than insult them and me. After all, it does not matter so much to the individual, but he has done more than that—he has betrayed the trust placed in him by the Government and the people of this State. He had been appointed to an exalted position in the service of the Government and the people of Queensland. He was appointed to a position held to merit appointment by Act of Parliament, therefore we have to come here to remove him by resolution. If Mr. Creighton's subordinate committed the same offence that Mr. Creighton is charged with, he would have been dismissed by Mr. Creighton himself. He pleads that he did so in the public interest. Take all that I have given of the evidence. If hon. members are not satisfied let them read through the transcript of the case and they will see the nature of the man with whom we are dealing. I think you will then understand that what the Government are doing is the right course to adopt. If hon. members opposite were the Government they would be doing the same thing in the public interest and in the interest of the Public Service of the State and Queensland generally.

Mr. Dewar: It was all in the paper.

Government Members: Hear, hear!

Hon. E. J. WALSH (Bundaberg—Treasurer) (8.52 p.m.): I do not think there will be any disagreement on either side that the matter that is being debated today is one of far-reaching importance and one which I think will go down in history because it is the first case of its kind not only in this State but in Australia. At the outset I wish to say in regard to the outcry by the Press and some individuals that certain things should be done by the Government, that if Mr. Creighton is penalised in some way he should still be given a job in the Public Service, that this House is called on to make a decision on only one point. The Act provides that Parliament decides whether Mr. Creighton is to be removed from his office because of misbehaviour, and if the House is not agreeable to that course he is automatically restored to his office. Let us not get away with the idea that Parliament or any other body can make any decision other than one made by this House. Creighton is either out or in. That is the Act. That is the law of this country.

I am not going to bring in any political issues. I am not going to deal with anybody else involved in the evidence before the royal commission except to the extent that evidence was given by Mr. Creighton before the royal commission about that person. Although one may be tempted to talk about the political aspects of the question that resulted in the royal commission, I think it is the duty of every hon. member to eliminate from the discussion the Party political aspect on this question.

Unfortunately, the leader of the Opposition, did not give that lead to his Party. As a matter of fact, he has taken up a very extraordinary attitude. He admitted that Mr. Creighton had committed what might be called an indiscretion and, having conceded that, the Leader of the Opposition said, "Forget about the rest. Forget about everything else that happened, as long as you retain Mr. Creighton in his position." Has the Leader of the Opposition overlooked the fact that Mr. Creighton embarked on a campaign of smear of the characters of respectable citizens of this State, many of whom I should say are far from being supporters of the Labour Party? But in every instance, if the Leader of the Opposition and hon. members read the Commissioner's report, the person whose character Mr. Creighton attempted to smear or who was charged by Mr. Creighton was absolved as far as integrity was concerned. I mention a few, Mr. Kruttschnitt, Mr. Jamieson, Mr. Hill of Natal Downs, Mr. Winter of Woolerina, the directors of Lennon's Hotel, and Mr. Warby, all of whom were mentioned in Mr. Creighton's dispatches to Mr. Williams.

The Leader of the Opposition went on to justify the action of Mr. Creighton in not going to the Premier, in not going to Cabinet, in not reporting to Parliament and in not going to the Governor. I am really sorry that the Leader of the Opposition took up

that attitude, because apparently he is prepared to condone that conduct on the part of those issued with Queen's commission, and Mr. Creighton was issued with the Queen's commission. Apparently he believes they should have the liberty to go anywhere other than constituted authority in this State. If we accept what the Leader of the Opposition has said, why have a Governor at all? As I intimated during the course of the remarks of the Leader of the Opposition, it is a reflection on the Governor.

Mr. Muller: What rot!

Mr. WALSH: The hon. member has been slipping on margarine so long now that he does not know where he is.

The fact remains that the Leader of the Opposition said in so many words that the Governor is prepared to accept any advice given to him by his Ministers, whether it is against corrupt practices or in favour of corrupt practices.

Mr. Nicklin: I did not say anything of the sort.

Mr. WALSH: That is the only interpretation I can place on his words.

Hon. members will remember the action taken by Sir Phillip Game in New South Wales when he dismissed the Government from office. Does not the Governor of Queensland possess exactly the same powers in that respect as the Governor of New South Wales.

Mr. Hiley: It is his only executive power to recall the Government.

Mr. WALSH: It is sufficient if he could recall the Commission issued to the Premier of this State to form a Government. That is a powerful weapon in the hands of any Governor. I have a recollection, of course, of something that happened in this State many years ago but not in the days of Labour government. The Governor of the day failed to accept the advice of his Ministers and he was recalled by the United Kingdom Government. But that was not in the days of Labour government.

Assume Mr. Creighton had followed the course as has been suggested. I will come later to where Mr. Justice Townley clearly indicated the course Mr. Creighton should have followed. What a stronger position would Mr. Creighton then have been in if he was in a position to say, "I went to the Governor and the Premier and the Cabinet and reported this to Parliament—"

Mr. Muller: His head would have gone off.

Mr. WALSH: I will not waste time with the hon. member's silly nonsense. I was saying that Mr. Creighton would have been in a strong position because no Government would have dared to challenge his submissions to the Governor or the Premier or Cabinet. The Government would have been compelled to act.

During the discussion the Leader of the Opposition threw out certain challenges. I made an interjection when the hon. member for Chermiside sought to come into the debate with a nasty inference. Even now I am not tempted to bring these things out for the reason that there is no time to refer to them. That does not mean that at some future date, when I hope the Premier will give us an opportunity of debating the report of the royal commission, there will not be a lot of things said from this side of the House. It will be an occasion that I propose to take advantage of to say what I might have to say in that respect and concerning a few other things too.

The Deputy Leader of the Opposition today raised the question as to procedure in this matter, and maintained that we did not keep to the Standing Orders, that we had not followed practice and usage in the House of Commons. He cannot cite an instance. I challenge him, and I know that hon. members opposite who have paid any attention to the matter know full well that the only parts of the Standing Orders suspended were those which would have prevented the right of Mr. Creighton to appear at the Bar of this House, and no more. Why mislead people by placing such a ridiculous statement in the record of this debate? In any case, as I said before, there would be no other case in Australia of a similar nature to this, except perhaps one which occurred in South Australia many years ago when a judge was removed from office. But there again it was on a different plane because the matter was dealt with under different law, a law similar to that by which members of the judiciary would have been dealt with here. Whilst it was very disturbing to know that Mr. Creighton, the holder of a commission from the Crown, should have withheld information he claimed was in his possession in regard to these matters for such a long period without revealing it at all, it also disturbs me somewhat to know that there are others holding commissions from the Queen who likewise have withheld information in their possession. I refer to allegations that were in their possession and that have been withheld from both the Government and the Governor. It is only reasonable to suggest that at some future time something should be said about that in this House, irrespective of the position of the person concerned.

The rest of my remarks, in the main, will deal with the written and the spoken words of Mr. Creighton himself. Except to the extent that I have to interpolate here and there comments on parts of the transcript of proceedings, I do not propose to engage in any considerable comment on Mr. Creighton.

The House has already been given the official reasons why Mr. Creighton should be dismissed from his position. It is not Parliament that dismisses him. Let that be understood. All that this Parliament does is to carry the motion, or otherwise. If it

is carried, it remains with the Governor in Council, not Parliament, to dismiss Mr. Creighton.

The statement that was tabled yesterday contains a very significant paragraph. It refers to Mr. Creighton's misbehaviour and says—

“The facts and inferences aforesaid establish that the said Vivian Rogers Creighton was guilty of a breach of the trust and confidence reposed in him as permanent head of the Department of Public Lands and of treachery to Her Majesty's Ministers and that generally in relation to his said office his conduct was unconscionable and unjustifiable.”

Apart from the reasons given prior to that, there are so many other things about Creighton's conduct that can be described as misbehaviour. Different members of the Assembly may seek to put different interpretations upon the word “misbehaviour.” From my point of view and so far as this case is concerned, it could be taken to include disloyalty, treachery, deceit and lying. I should say that Mr. Creighton has been guilty of each of those things. He himself, by the evidence that he gave on oath before the royal commission, proved that he was guilty of them.

Mr. Creighton claims to have exposed the corruption of which the Commissioner ultimately found the Minister guilty. On the other hand, however, he swore on oath that he was not responsible for exposing it. That is very important. I am not asking hon. members to accept my word, but to accept the record of proceedings.

Following on what the Premier has said about the Press, although I will concede that the Press gave a very full resume of the proceedings, from there on there was not much difference between the Press combine here and that which functions under the dictates of Soviet Russia.

Mr. Muller: That is an awful statement to make.

Mr. WALSH: It is not an awful statement to make. If the hon. member has read the Commissioner's report, he will know that not one word can be found in it in favour of Mr. Creighton. If he is the hero responsible for exposing the corrupt Minister, one might expect to find somewhere in the report an indication that the Commissioner held him in esteem for his conduct; but it is not to be found.

References were made by Creighton to the Premier. I fully realise that this House has never before been confronted with a situation such as this.

Opposition Members: Hear, hear!

Mr. WALSH: I think that in future consideration will have to be given to the rights of a person who appears at the Bar of the House. He appears only by leave of the House and not exactly under privilege

so he should not be permitted to take the opportunity again to slander Ministers and the Premier and others. I do not mean to cast any reflection on you, Mr. Speaker, but I suggest that for future guidance that might be laid down, and I think it would be accepted in the usages and practices of the House of Commons that for part of his conduct at the Bar of the House Creighton would have been dealt with for contempt.

Mr. SPEAKER: Order! It struck me that Mr. Creighton was permitted to say things at the Bar of the House that an hon. member was not permitted to say inside the House. Mr. Creighton was granted the privilege of appearing at the Bar by the House. He was permitted to make a statement and I therefore did not interrupt him.

Mr. WALSH: I fully appreciate that, and I say it with all sincerity.

Mr. Gair: An unusual case.

Mr. WALSH: Yes, unusual circumstances. There were other aspects, such as when, for purposes of exhibition or otherwise, the hon. member for Mundingburra wanted to come in with a helping hand.

I shall deal now with the references to the Premier. At page 953 of the transcript of evidence, Mr. Casey was examining Mr. Creighton and this evidence appears—

“You will admit hate has destroyed men before; they have been consumed by hate and they have become irrational?—I have read of such things.

“And unrecognised on the part of the person that has the blight?—I do not hate anybody.

“If you do not hate anybody, you will not readily make suggestions destructive of another man’s character?—That is not the basis of hate.

“Even in this witness box you have, despite the fact your counsel said you were not making any allegations, alleged corruption against many people—corruption, mark you, without the slightest evidence of it. Is that not based on something that is irrational in a man of your standing?—No. I thought that my actions were not irrational.

“Have we reached this position: that you are desperately fighting now in a corner and you are prepared to do anything to try to justify your action?—No, I am not desperately fighting in a corner. That position has long since passed.

“Have you not attempted to show you are somewhat of a heroic character in fighting this matter alone?—No.

“Take the members of the Cabinet—it is the same Cabinet that appointed you, or practically, or perhaps Mr. McCathie is an addition since then?—Practically.

“In all your career in that department, and speaking now as a thoroughly honest man, do you know anything against the integrity of the Premier?—No.

Take them down through the Cabinet: the Deputy Premier, Mr. Duggan, Mr. Walsh—I do not know the order of seniority Mr. Power, Mr. Moore, Mr. Jones, Mr. Hilton, Mr. Collins, Mr. McCathie—we will leave Mr. Foley out because he is the subject of this inquiry. Have you heard one thing or can you advance one piece of prohibitive evidence here to show that these men that I have mentioned, all members of the Cabinet, and leaving Foley out advisedly and only because of this commission, are anything but men of the highest integrity?—No.

And yet you suggested a while ago that Mr. Gair may have been guilty of some corrupt conduct. Have you any evidence of prohibitive worth to suggest that Mr. Gair is anything but a thoroughly honest man?—I have told you that I have none.”

Mr. Creighton had the hide to stand there today at the Bar of the House and repeat the accusations that were made through the correspondence that was given to Mr. Williams and others regarding these matters. On page 955 of the record we find Mr. Creighton giving these answers to Mr. Casey—

“You told Mr. Bennett—I think it was Mr. Bennett—that the facts that you gave in these letters to Mr. Williams were all correct? The facts?—

Not the comments?—I said there might have been minor discrepancies as to areas. I didn’t write them with the records available. I mentioned something about Bladensburg.

In relation to Lyndhurst, the proposed exchange suggested to Kruttschnitt never took place? We are all agreed on that?—

The proposed handing back of portion of The Lynd for portion of Carpentaria Downs never took place?—That was a second proposal. The first proposal was the return of The Lynd.

Neither proposal met with acceptance from the Government?—That is so.

I am reading from Exhibit 5—‘It was started by Kruttschnitt, through Gair, who gave it his blessing.’ That is a statement of fact?—Yes.

That means that Gair approved of or was sympathetic to the proposal put by Kruttschnitt?—Yes.

What prohibitive evidence have you in relation to Gair’s state of mind in relation to that?—None whatever.

And you said that he gave it his blessing for a consideration to be paid?—Yes.”

Can hon. members imagine such a man? Imagine his state of mind: on the one hand he denies a thing and then he comes along and repeats it. That is his state of mind all through the evidence I will quote tonight.

Mr. Muller: Did not Mr. Foley do something similar?

Mr. WALSH: I hope you are not going to encourage me to talk about the Dairy Commission report tonight.

Mr. SPEAKER: Order!

Mr. WALSH: We have it on the evidence of Mr. Creighton in reply to his own counsel that he was appointed to the board in 1952 and appointed chairman in 1953. At page 313 Mr. Creighton was replying to his own counsel, Mr. Wanstall, and the evidence reads—

“When you were appointed to the Land Administration Board, had you heard at that stage any rumours in regard to irregularities in the matter of dealings with Crown leases?—Yes.

From the time of your appointment up to the present time what has been the position concerning the circulation of those rumours?—They have been frequent.”

Creighton was appointed in 1952 and it took him over two years to make any reference to these matters. On his own sworn evidence he admits he had heard rumours at the date of his appointment in 1952. Hon. members should keep that important point in mind.

Why did he withhold that information for such a long period and then handle it in the way in which he did? He made a claim in his statement today and in “The Sunday Mail.” Amongst other things he said, “Finally, I would ask the people to believe that I acted on the compulsion of my conscience. I had hoped to strike a blow for clean administration.” Let us have a look at that. On page 607 of the record the evidence is as follows—

BY MR. McCRAWLEY: Was it your object to unmask corruption?— I did not see that corruption could be unmasked. People do not perform corrupt acts before witnesses. However, I did hope and try to see that what I thought were corrupt practices would be stopped.

And that should be stopped without the public knowing?— Unless there was definite proof to be given, the matter of the public knowing about it was not going to do any good to anybody.”

Further evidence to be found on page 607 reads as follows—

“**BY MR. McCRAWLEY:** Very well, you were suggesting that there ought to be a kind of top-level inquiry?— I think ‘The Worker’ newspaper did.

Did you suggest it to Williams?— I doubt it. I do not recall.

Could you have?— No.

Did you have any kind of inquiry in mind?—No, I did not want an enquiry. I just wanted this stopped, and the whole business could have been simply stopped by a definition of policy.

You saw ‘The Worker’ demand for an inquiry?— I did not write the article in ‘The Worker.’

No, but you had an opportunity of correcting your correspondent if he went beyond your ideas?— ‘The Worker’ articles did not go beyond my ideas.

And when they demanded an inquiry, they did not go beyond your ideas, either?— An inquiry, of what nature I could not determine.

But you read the articles?— Yes, I read them.

And in determining an inquiry, they did not go beyond your ideas?— I told you that I did not want any inquiry. I thought that the whole matter might be stopped without any inquiry. That was my objective.

If that was your objective, nothing would come publicly to light if it was stopped without any inquiry?— The matter of these leases would be put in order.”

It is significant to remember in connection with the matters raised by Mr. Creighton that in every case the Commissioner has found there was no foundation for the allegations or charges. I refer to the various leases of “Woolerina,” “Bombine,” “Coomrith” and others. I shall not deal with the case of Mr. Bell because that is finished “Dutton River”——

Mr. Muller: You would not like to deal with it.

Mr. WALSH: Yes, and I shall deal with the hon. member too later on. “Dutton River” occurred some two years before Creighton was appointed to the Board. His only reference in the communications was that if the “Dutton River” file was examined it might reveal this or that. In no case that he raised during the period that he was a member or chairman of the Land Administration Board did the Judge find there was any evidence to justify the allegations or suspicions of Creighton. That is important. On page 707, Mr. McCawley asked Mr. Creighton referring to Williams—

“Suppose he might tell Mr. Bukowski?”

“That would be on the cards would it not?”— I understood that my letters to Williams were confidential as between us.”

It is apparent that he never intended anything he wrote to Mr. Williams to see the light of day.

Mr. Hiley: There is no doubt about that.

Mr. WALSH: The hon. member for Coorparoo agrees with my statement, and I do not think any sensible person could disagree. The evidence continues—

“**BY MR. McCRAWLEY:** Well then, Mr. Creighton, you do not profess to have been doing this in pursuance of any public duty, do you?—Only to the extent that it was connected with the matter, which was public.

Do you think it was consistent that you should be telling Williams things in pursuance of a public duty, if he was to keep them locked in his private breast?—Again please?

If he was to keep them locked in his breast?—As I thought he would. I have no doubt that many people have said many things to their friends——”

That is again clear evidence of his intention, despite his claim here today and through the Press that he set out to expose corruption. He got mixed up in another conflict that I do not propose to deal with at this time, and he thought this was going to be good material in the hands of those people who were out to damage the Government.

At page 710, this is the evidence—

“BY MR. McCRAWLEY: You have, in effect, initiated a public investigation, have you not?—No.

You have not?—No.

Well, did the articles in ‘The Worker’ have the effect of doing that?—It is my understanding that the speech of a Senator in the Senate—

The speech of Senator Wood, and Senator Wood referred to ‘The Worker,’ did he not?—Yes.

And ‘The Worker’ got its articles from Williams?—Yes.

And Williams got them from you?—Yes.

So, in that sense, you realise that you have brought this Commission about?—No.

You did not?—Reference to ‘The Worker’ articles was only a secondary matter in the Senator’s speech.

What was the primary one?—An allegation about graft in respect of land leases.

In respect of land leases?—Yes.”

There again you have the man’s own admission on oath that he was in no way responsible for bringing about the inquiry. Have I to accept that admission on oath, or have I to accept the published statements in the Press throughout this State?

I come now to his sources of information, and this is particularly interesting, I should say, bearing in mind the very responsible position that he has been occupying, particularly since 1952. It is interesting to think that he should resort to this sort of information in setting out to besmirch the character of many good citizens of this State.

This is the evidence at page 558—

“BY MR. McCRAWLEY: In one of your letters, you say that there were rumours from Canberra to Cairns. Do I quote you correctly?—You do.

What were the sources of those rumours?—The only definite source is the one that I referred to, the phone caller, who took it on himself to tell me things.

The source was the anonymous phone caller? I want a responsive answer. The source was the anonymous phone caller?—In particular, in regard to Canberra, such matter had even been mentioned in Parliament House in Canberra, or by M’s.H.R.

When did he tell you this?—I do not know what date. There was a succession of calls. I told you when they started.

When did they commence?—The first call was shortly before the ringbarking deputation, which was some time towards the end of 1954.

Over the period, how many calls did you receive from your anonymous caller?—I never counted them. My impression is that there were a number, but I have also told the Commission that in discussion with two M’s.L.A., they said that they had heard these rumours, they were current around this Parliament House, and Mr. Gunn told me that he had heard rumours. There were innuendoes or suggestions, but I cannot recall any particular person. I never encouraged them to talk about it. The only person with whom I discussed it openly was Mr. Gunn, because he was the leader of the Graziers’ Association and no particular personal friend of mine.

You said that you were under the impression that you had a number of phone calls?—Yes.

Anonymous calls?—Yes.

What would be the minimum number of calls which you had?—I never kept a record of them.

I am not asking you for a record. I am asking you for your memory?—I would say there would be not less than five or six.

And not more than?—I would not say.

I am asking you. Were there more than 20?—I do not know how many there were.

But were there more than 20?—I do not know how many there were.

Could there have been 20?—I do not think that there were 20, but I am not in a position to say how many there were.

Could there have been 20?—I do not know, but I doubt it.

You doubt it? For all you know, there might have been 20?—I doubt that there would be that many, but I do not know what number there were.

Where were these calls made?—To me, in my office.

Was anybody else present at any time?—No.

In the course of from 5 to 20 phone calls, were you able to glean any information about your caller?—No.

Was it a woman or a man?—It was a male voice.

Did you ever ask him who he was?—On the first call he made it clear that he did not want me to know who he was. He seemed glad that I did not recognise his voice.

So you never asked him who he was?—No.

You did not have the slightest idea?—No."

I ask any hon. member opposite if he can imagine the position where a responsible executive officer receives anything up to 20 anonymous telephone calls and never proceeds to ascertain the identity of the caller. The thing is too stupid or ridiculous to ask sensible men to believe. What would any hon. member do if he got one or two anonymous calls? Would not his first question be, "Who is speaking?" You have the sworn evidence that Mr. Creighton took no steps to ascertain the identity of the person who had consistently called him over that period.

As I realise the limit of my time, I should like to ask permission of the House to include in the record of the Parliamentary debates documents identified as Exhibits 3, 9, 57, 58, 59, 63, 64 and 65—the relevant correspondence between Creighton and Williams. I ask for that permission.

MR. SPEAKER: Is it the pleasure of the House that the documents referred to by the Treasurer be inserted in "Hansard" without being read?

Honourable Members: Hear, hear!

MR. WALSH: I thank hon. members. It is information which should be available in full detail to hon. members. These are the Exhibits referred to—

EXHIBIT 3.

LAND INFORMATION.

Prior to the Royal Commission into Pastoral Lands and notably during the hearings of that Commission stress was made by Grazing Organisations on the insecurity of land tenure. A plea was made and a substantial case made out for security of tenure.

Their argument was discounted to a sufficient extent to show that actually under Queensland Land Administration pastoral leases have equal to if not better tenure than freehold land.

Further after the sittings of the Commission the Lands Department to offset propaganda on this point invited landholders to surrender their leases before the due date and they would be given instead of the one priority block that they would have at the normal expiry of their lease, they would be given two and in cases of land which was suitable for cutting up for farming purposes, more than two blocks, and they would be given 28 to 30 years lease of those areas.

Subsequently at the expiry of these leases they would fall back on to the one block in each case.

The position today is that some Graziers have made application and have surrendered their leases and in accordance with this principle received new leases. Others are still contemplating such action, and some have made no move at all.

(1) LUNDAVRA HOLDINGS.

These properties are situated in the Goondiwindi area in the centre of hundreds of miles of country that is readily adaptable and has been converted into small areas based on sheep and small farming.

The normal tenure of this place is due for resumption in approximately ten (10) years time and at the time of the normal resumption the present lessees would be entitled to eight (8) blocks, and the remainder of the country would be ballotted for by approved applicants.

(I detail particulars of ownership at present.)

The owner initially made application for resumption of his area at Lundavra, but has not proceeded with his application.

It has been asserted that he made a statement that he already has a new lease for the whole of the area.

The nominal value of the land is £5 per acre and the total value in the vicinity of £350,000.

It is further contended by people interested in this matter, that when Cameron gets his new lease of the whole of the property an ex-gratia payment of £10,000 is going to be made to somebody for their services in securing the new lease.

Cameron also owns Bullaman Plains near Dirranbandi a hundred miles further west, and he has achieved some publicity by an irrigation project that he has exploited on this property in that he dammed the Moonee River and floods a considerable portion of his country. He was not licenced to dam this River, and it is considered that the Dam has not been constructed on sound engineering principles, and that his scheme on this property will ruin the country.

Information is that Cameron can have new lease at Bullaman Plains for the asking, but he is merely interested in tendered blocks, and apart from having stated that he has secured a new lease, also said that if he does not get it he will talk loud and involve all the persons concerned.

The blocks adjacent to Lundavra have already been cut up for closer settlement, and I understand, distributed.

(2) It is rumoured that it is proposed to give a stud lease to Whyndah Pastoral Company near Dirranbandi—the Owner of this is D. M. Fea—area 75 square miles (48,000 acres) C.C. 1/4½ or 1066. Sheep

could be increased to 1 to 3½ acres or say 13,000 sheep. Terms of Lease—20 years of 1-7-37 expiring 30-6-57.

(3) It is also proposed to give a new stud lease of Tilbaroo lease near Cunnamulla 1/3rd of this property has been reserved.

The particulars are Tilbaroo Eulo 520 square miles—Owners J. Jordan Pty. Ltd. —Terms of Lease—30 years from the 1-10-34—expiring 30th September, 1964. C.C. 1 to 8 acres or 4,600—could be increased to 1 in 7 or about another 5,000 sheep.

Resumption of 165 S.M. will take effect on the 1-7-1955 (2 blocks per competitor) —will carry 1 to 8 acres or 11,733 sheep—leaving the lessee Company 355 square miles with a carrying capacity of about 30,000 sheep.

The actual position of the sub-leases is that in those cases they are merely a means of giving investment of this nature to Pastoral interests, and in actual fact more rams come off places that are not sub-leases than those that are sub-leases (see evidence Royal Commission Pastoral Leases).

(4) KILCUMMIN, CLERMONT.

112,000 acres carrying capacity 35,000 sheep—expiry dated 30-6-1955 (today).

In 1952 Ted Hill or his family Company Natal Downs Pty. Ltd. of Rosevale Wyandra—a 20,000 sheep corporation of grazing selections, bought Kilcummin from Australian Estates just as the lease expired. They paid the value of improvement on the expiring lease plus a consideration in the 18,000 freehold area on which the home-stand stands.

Hill received a 5 year lease which expires today.

The excuse for not cutting this place up is that they are awaiting the outcome they claim, of experiments of food corporation leases.

These have and are being cut up and Kilcummin is better than these lands for closer settlement.

It is claimed Hill has been to the Minister, who is favourably disposed to an extension of lease.

(5) WOOLERINA LEASE VIA DIRRANBANDI. Owner E. M. Winter—Area three hundred and three-quarter square miles—Rent 100 shillings—Terms 30 years from the 1-10-31—Expiry of Lease 30th September, 1961—Carrying Capacity 1/9 at present. Sheep carried 21,427.

It is claimed this will improve to a carrying capacity of 1 to 6.

There has been no resumption of this lease although the Government approved of this 3 years ago, and it is claimed the Department had the resumption order countermanded after a visit by Winter to Brisbane.

Adjacent to this is Coomburrah, which was cut into four blocks of 5,000 sheep each.

(6) CHARLOTTE PLAINS. Known as Dutton River holding north of Hughenden. Lease normally expires about 1960. The late owner was known as "Scamp" White, and an offer was made to him for 30 years lease. Conditional 70,000 acres was surrendered for new settlement.

Before the offer could be exploited or otherwise "Scamp" White died and the place has been purchased from his Executor by a new owner named E. Loughnan.

It is reported that an offer has been made to Loughnan of a similar nature, but to date has not been accepted.

It is rumoured that Loughnan is negotiating for the whole of the lease including the 70,000 acres, and that he has made a statement that he expects to get it.

(7) The Queensland Stock Properties were given new leases of Magoora, Forest Home, Carpentaria Downs and half of Lyndhurst Station. The other half of Lyndhurst is to be cut up for closer settlement.

Kruttchnitt of Mt. Isa Mines has since become a shareholder of this Company, and has made representations through some well placed person, and an Official of the Lands Department was detailed to make reports. It was expected following these reports that the Land Acts would be changed in the next session of Parliament to provide for the continuation of leases of the other half of Lyndhurst to this Company.

Consistent with this information, Burgin an Official of the Lands Department did go north, but I am advised his itinerary is disturbed by the heavy wet weather experienced in the Northern areas, but it is reported from friends of mine, that he was in Hughenden and was in Richmond.

It has further been intimated to me that following resolutions from the Townsville A.L.P. and statements by people in various centres that have been made in connection with land settlement, there was a possibility that there would be no interference in the closer settlement policy at this stage.

EXHIBIT 9.

SPECIAL WEEKLY FEATURE.

TO THE MAN ON THE LAND AND
TO THOSE WHO WOULD LIKE TO
GO ON THE LAND.

These are facts you should know and we suggest questions you should ask thereto.

"The Lands Act Amendment Act of 1952" was issued in four main parts, three of which were of general interest to holders of crown leases.

The first of these deal with smaller holdings for better development and offers a solution to the problem confronting those

holders of grazing selections and pastoral lease tenures whose lands are situated in localities where the advent of closer settlement and more intense land usage is imminent and inevitable.

Many of these leases are too large for development by one individual in fact comfortable livings are being secured on the developed portions of the holdings and the undeveloped balance considered a little more than an embarrassment to the lease holder.

Part 2 of the Act deals with the surrender in certain instances of existing leases in exchange for new ones and a simplified experiment has been offered to Land owners and intending land owners by means of a questionnaire and answers thereto sent out by the Minister for Lands.

The questionnaire explains if a grazing selector or a pastoral lessee is uncertain as to the further of his lease he can apply to have it renewed.

Officers of the Department of Lands then inspect it. If it is purely Pastoral land the applicant will be so advised and he will know where he stands.

If it is not, officers from the Land Department will tentatively design the land into blocks as if it were an expired lease.

The Minister then can make an offer to the lessee that if he will surrender his present lease he will be given priority of application for a new lease from any two of the designed sub-divisions as provided for by this Act.

K. B. Cameron owns three grazing leases near Thallon called "Bullamon Station". On this property a weir has been built across the Moonie River with the object of flooding the surrounding country. This enterprise has been given a lot of publicity but we understand this is not a sound engineering venture.

Cameron and his family own another property known as "Lundavra" comprising of four grazing leases of first class brigalow country over 70,000 acres in size, near Goondiwindi.

Locally the value of this property is regarded as from £6 to £8 per acre but on a basis consistent with proper values it is considered to be worth at least £5 per acre.

A total value of at least £350,000. It's nice money if you can get it.

This is the type of country the Government's new settlement Act was aimed at—the Brigalow Country.

The core of the Act is this that any Squatter in the brigalow country can surrender his existing lease straight away and get two living areas for himself—still good money if you can get it. Anything left over is cut up for selection.

If the circular given out by the Minister for Lands is correct Cameron can get eight living areas from "Lundavra".

'Tis rumoured Cameron wants the lot.

'Tis also rumoured from Cunnamulla to Cooktown that he is going to get it.

It is understood a departmental officer is making a report on the property.

Countries and Governments have risen and have fallen on their Land Administration.

Ask questions consistent with these articles and watch what happens to "Lundavra".

More about "Lundavra" and other places next week.

EXHIBIT 57.

Brisbane.

Tuesday.

Dear Edgar,

I don't know how you want this done. If I give it in outline the "write-up" man could go off the rails and if I set it up for printing there's a chance of being recognized. What follows is not in my usual style of writing and there are sundry small errors on the technical side which are immaterial to the case and don't affect the facts. Also these little bits of history cannot be contradicted.

It's a long time since we had a land scandal in Australia but it looks like one is coming up. Smoke has been rising ever since Foley took the Lands portfolio and where there's smoke there's fire.

Foley was mates with the late "Scamp" White and back in 1950 "Scamp" bought Bladensburg Station after the lease had run out and while the Lands Dept. was making up its mind what to do with it. White paid the owners £9,000 (repeat £9,000) for their occupation lease and as soon as he did Foley gave him a new 30 year lease of the place which "Scamp" immediately sold for £42,500 (repeat £42,500). A nice quick profit on a nice hot tip but we ask why the new lease was given to White and not competed for by others if the place was not to be cut up.

Then "Scamp" bought Charlotte Plains on a contract which said the sellers bore the costs and the buyer got the income while the sale was going through. Foley held the sale up for months by disallowing it because there was burr on the place like every other property on the Flinders. This made money for White but when his Estate sold to Jack Loughnan there was no hold although the burr is as thick as ever but Jack has reputation for giving racehorses away to politicians.

For some time now there have been very nasty rumours about new leases for a man called K. B. Cameron. We have maps which show Cameron owns three grazing leases near Thallon called "Bullamon Plains". He has built a weir across the Moonie River without a license and set out to flood a lot of his country. The work

has been done with tax concession money and has been given a lot of publicity. But if his stock returns are dinkum he is not carrying any more stock now than he did 6 or 7 years ago and no more per mile than his neighbours do and they have no weirs with or without licenses.

It is rumoured this irrigation works was to be the excuse for giving Cameron new leases of another property near Goondiwindi. We have enquired about this place. Is called Lundavra and is four grazing Leases of first class brigalow country over 70,000 acres in size. This is the country the Govts. New Settlement Act was aimed at—the brigalow country. The guts of this gutless Act is that any squatter in the brigalow country can surrender his expiring lease straight away and get two living areas for himself anything left over is cut up for selection. If Foley's pamphlet on the matter is to be believed, Cameron could get EIGHT living areas from Lundavra.

But Cameron wanted the lot. So he saw certain people and now all the dogs along the Moonie and the MacIntyre are barking that Cameron says he has been promised new leases over both Bullamon and Lundavra.

Every politician in the Talkshop has heard these rumours, every grazier knows about it and it is talked of from Cairns to Canberra. We know a tame stooge is running around the country on a mystery hush hush job. People say he is finding the ammunition for a stunt to give new leases to certain people. There is talk everywhere of the price being paid for all this and who is to get it.

Now all this may not be true but true or false a smear is being put on the Premier, his Ministers, Members of the Parliament, and on the Labor Party. If it is NOT true the whole nasty business can be killed quick and lively. It only needs the Premier to say in a public announcement—no hedging—that his Govt. pledges itself not to give new leases to Cameron or anyone else whose leases are fit for cutting up. Which is Labor policy.

We did ask the locals what Lundavra was worth and were told "anything from six to eight quid an acre" and a new lease of the lot would be worth "half a million". So people have reason to talk.

EXHIBIT 58.

Brisbane.

1st June, 1955.

From V for Victory
To E for Energy.

Good work pal: you threw a BIG scare into the boys. They scare a bit easy these days. When all these many-headed resolutions arrived Tom was savage and resentful and full of fight but since Saturday last his attitude is different. I understand there

was something or other happened in Victoria. A cold place and their chilling winds reach a long way.

Though no judge of political responsiveness on the part of the electors it is obvious from conversation with a wide section of persons that a patched up peace will not win the Party an election. After the passage of Bucket of Whiskey's resolution on Monday the intelligent vote will NOT follow Gair & Co. No one can or would believe them. There must be a purge if Labor is to live here. Gair Walsh Power Moore and others have had it and can only lead their party into the mulga.

The replies to those resolutions have not yet been framed and comment will be forwarded you when they are: it is possible the Ministerial reply will not follow exactly that furnished by his advisers.

The Charlotte Plains one led to an anxious call for Corkscrew Jack: he and Tom were booked to fly up to Hughenden (at Loughnan's expense) to spend a holiday on the station as the guests of the owner. Now Tom thinks it would not be politic to go—for him anyhow—so see what you have done. It also led to sending for the new Member for that part of the world but what transpired I do not know. Present indications are that this plot is busted—it certainly frightened the parties—but you will be advised of the position from time to time.

Some talk of Lyndhurst has also taken place and general indications are a cooling off on that proposition. It was started by Krushednutz through GAIR who gave it his blessing—for a consideration to be paid—but you will be advised on the matter in the light of the reply sent you officially. Incidentally the owners are the Queensland Stockbreeders and not the Q.N. Pastoral Coy. which is a matter of little concern.

EXHIBIT 59.

BRISBANE.

June 1955.

Dear Edgar,

You would be pleased if you knew all the stir those A.L.P. resolutions have caused. Foley is all hot and bothered about it. I don't fancy either Lyndhurst or Dutton River will come off now so good has been done. Of course, your enquiries will lead to nothing—officially—as what has been done is fair square and above board, apart from the fact that sometimes, after the Dept. has recommended and Cabinet approved new leases, the politicians cash in on the lessees before the department's letter of advice goes out. But what wanted stopping is not what was done so much as what it was INTENDED to do in these cases. You have put a spanner in the wrong place at least for the time being but the trouble is that while certain people are where they are it can always come on

again. The greedy ones know that certain people are willing to play given the chance. When the State Exec. of the A.W.U. has this meeting with the Premier on this new lease question—I suppose you are aware of Bukowski's request—these are some points that can cause a lot of unpleasantness:

What is Taylor's interest in Dutton River and why did Loughnan give him a race-horse.

Is it proposed to give a Stud Lease to Whyenbah Pastoral Lease near Dirranbandi (owner is Fea) and what is Taylor's interest in this.

Is it proposed to give a new stud lease to the Balance of Tilbooroo Lease (Cunnamulla) now one third of it has been resumed. (A Foley special.)

When is Kileummin to be cut up for closer settlement (Foley—Whyte special).

Why has no resumption been made from Woolerina Lease (Dirranbandi) though the Govt. approved of this three years ago. (Foley Taylor special). Owner is Winter a N.S.W. squatter and Tom countermanded Cabinet's instruction after a visit from Winter.

Is the Cameron crowd to get new leases at Lundavra although it is in a declared closer settlement area and smaller leases alongside have already been cut up and selected. This is the £10,000 question and is on everyone's mind. Only a declaration for the public from the Premier can ever restore public confidence in this matter. Cameron has openly stated he is getting a new lease and has quoted the price.

If they mention his Bullamon Plains irrigation scheme ask these questions. Has he a license from the Irrigation Commission to dam the Moonie River: Is the dam constructed in accordance with sound engineering principles. What extra stock has he carried since he built it.

The truth is the dam is illegal; it is structurally unsound and it is only a matter of time before the river cuts a new channel round it and his method of alleged irrigation will result in ruining his land. He carries no more stock per acre or mile than his neighbours. And he can have new leases for Bullamon Plains for the asking.

This stud lease business is racket too and certain politicians use it in regard to land which they know they could not get a new lease for in the ordinary way and make up a lot of bulsh about the value of a stud. In these days every cocky has a stud and the best studs in the State are on land not under stud but ordinary lease. These Tilbooroo people who have properties elsewhere in Qld. and N.S.W. almost got the resumed area back but Mr. Duffley got that stopped. (Wasn't let in on it). However, they are well set with Tom for a new stud lease of the 300,000 acres left.

By the way, the Premier told Tom a friend told him that Edgar Williams the A.W.U. Secretary at Townsville had got those A.L.P. resolutions passed. When you come down for this A.W.U. meeting ring me at work or home and I'll give you any more dope that's available.

V for Victory.

EXHIBIT 63.

E for Energy,

The Worker article was a damp squib and Tom lifted his tail as he was fearing something—now he is taking Bucketo on by publicising his previous letter to him. You can take it from me that they are going on with this thing regardless and your deputation to Gair has not frightened them a bit. That is no exaggeration. I KNOW.

The drill will be this. Cameron applies for lease extensions—probably has. The stooge recommends to Tom who takes it to Cabinet on a Tuesday goes through Exec. Council on Thursday. The law says the offer is then made and the lessee has 3 months to accept. But C. will be on the doorstep accept at once and from the quarter day following acceptance the thing is binding and CAN'T be upset. Now if the offer is made and taken just before the quarter day even the Dept. staff won't know and there will be no time for protests or anything. Home on the bit. Mr. Deficiency now knows all this and his expert summing up is—money has already passed. I believe him, but the thing is your deadline is 30th Sept. next. They could let it ride to December and put the thing through after all the members have dispersed for Christmas and when there could be no party meeting for a time but my opinion is, and it's guided by things I see and hear is—they will do it soon and brazen it out. There will be no effective opposition from the opposition if as I hear Corkscrew Jack has done his work with Sparkes. And any M.P. who goes out of line then will not get Cabinet support and Cabinet will have the dough. Now the only fly in the ointment is P.H. but deficiency says the A.W.U. is likely to pleb him anyhow. Which shows which side he is on. But they could get rid of Paul by putting him in the Land Court when Payne's term expires on fifth September. He's eligible for re-appointment for 5 years and that was put up to Cabinet by Tom but there was opposition from the WRECKER and the matter is deferred till Gair comes back. If he is NOT reappointed it is odds on Paul will be pushed out that door. You can take this too; no politician will fight this Cameron business hard. If it was put to the party it would be knocked but it won't go to the party and they'll take it because if they

don't they won't get any lolly. I've seen one after the other reckon they could stop this thing. You people are the last left but if you want to stop it you will need to move fast and strong. There is not much time left. Your personal visit idea is the best and if you can break C. down you will get the whole dirty story and have the lot where you want them. If they win, then they will never heed A.W.U. again.

P.S. If you want another titbit use Woolerina. Cabinet approved resumption in 1953. After L/C inspected Winter (lessee) saw Tom who countermanded Cabinet order early in 1954.

EXHIBIT 64.

Brisbane.
14-7-1955.

Dear Edgar,

Well it didn't take long. Cameron was down the day after you left. I don't know all he was told except things were going to be a bit tougher—and pricier? But I DO know he was NOT told it was all off. Don't know what happened over the week-end but Foley is full of pep again and has lost his jitters. The stooge is at work on his "report" and things are proceeding just as before. Foley is going to Goondiwindi towards the end of the month. That is top secret or it might even be only a trap for a bloke you know so be careful how you use the information. If he IS going it is to an organised public opinion poll on new leases for Cameron with certain graziers and selected people. I am credibly informed that Hilton is on the verge of a nervous breakdown and in a permanent sweat. This business is right in his electorate, he doesn't like it anyhow but as a tool of the Mick's Master he has to go along. Anyhow boy you can put it out of your mind that last Wednesday's effort stopped things. It's still on as much as before. I don't know what it is they have going but there is certainly something cooking and as I say the jitters are over.

Would it help Foley if the Country Party did not oppose him at the Elections. Rundle and McCosker of Emerald have always been his main opponents—I fancy Rundle stood against him in an emergency—and both have lease trouble. Both have been to see him and McCosker has already got some preferential treatment. Details could be got if needed.

Don't know if I told you Foley has had a directory made of every property in his electorate with owner's name address and phone number. Names of employees are being added, the drill to be a personal appeal to every man woman and child in emergency such as a pleb.

All for now.

V for Victory.

EXHIBIT 65.

BRISBANE.

19-7-55.

Dear Edgar,

There was a great to do in the Lands Dept. today. The Tele referred to an article in the Worker about lease extensions and Tom went up in a blast. Said how much better things were in Russia where they shot people who talked like that and how he'd like to shoot certain people and spoke of sending for the police etc. etc. In other words—you rang the bell. He dashed off statements to the Tele and the Worker and a letter to Bucketo saying how hurt he and his Chairman were at the insinuations, sent Bucketo a map showing all the new leases granted since 1950 or something and offering an open go at any file or any of the properties concerned. Now files are files and don't show the proofs of corruption. All the leases shown on the map have been through the process—inspection by field officer, recn. by the Board to the Minister and by him to Cabinet. But if a delegation came to inspect files "at leisure" as offered and—without warning asked to see a few NOT on the map as well as on it they might prick their ears. If warned you can bet the files would be purified and anything contentious taken off. The Woolerina file would show Tom's countermanding of Cabinet's instruction to resume part of it after an interview arranged by Winter recorded by telegram seeking the interview. The Lyndhurst file would show his readiness to listen to Krushednitz and the stooge's willingness to play ball on the idea. The Bladensburg file would show how quick White got and sold a lease at a small profit, I think the Hawkwood file would show more dirty work with White and the Dutton River file would show Tom's famous burr stunt repeated in the case of Nella Ponds on behalf of Douglas who sold to the Northampton Downs Jew and then got a better offer and had Tom hold the sale till the first contract expired. The Tilboorroo file would show Tom's letter to the Chairman on a new lease proposal and his reply and so would Kilcummin and so would Bullamon Plains. All small things perhaps but they add up. No one would endorse a file "So and so paid me so much for this." There may be other files too, but your adviser is a bit unwilling to send for files outside the scope of business the way things are.

Apparently Gair told Tom he gave you people the brush off and set you back on your tails and you all admitted that you only had bar room gossip and were now convinced all was well. But this article in the Worker and Tele reports the Premier as agreeing he had heard things etc. and is Tom SAVAGE with Gair—and distrustful too. Put in a call for him and is going to play hell. There is no love lost there Tom goes to M'boro tomorrow and back on Saturday. For some reason this team

are as cocky as ever after a brief setback and Lyndhurst, Bullamon, Kileummin and all the rest will be on again as soon as the time suits. There has been no public refusal or cleaning up and you can bet the landholders knowing these blokes were prepared to talk turkey will not let them rest—probably raise the ante. Something happened over the week-end to the Tuesday after you people left to alter things from a state of fright to cheekiness again.

(Time, on motion of Mr. Moore, extended.)

Mr. WALSH: I thank my colleague and hon. members generally for their courtesy in giving me an extension of time.

I come now to the question of disloyalty. In this respect I want to make a contrast between two men occupying the same office. When I took over as Acting Secretary for Public Lands in 1940 Mr. A. G. Melville was Chairman of the Land Administration Board. He was a man with a very wide experience in the administration of the land laws. I shall never forget Mr. Melville pacing up and down in front of my desk with his hands in his pockets confessing to me, "Mr. Walsh, I have never been a Labour man in my life." I said in reply, "That does not interest me one bit. I regard as a good and efficient public servant an officer who administers the law as laid down by Parliament and gives effect to the policy of the Government of the day, irrespective of its politics. If he does that, he will not only keep himself out of a lot of trouble but he will keep Governments out of trouble as well." In the whole of my period of ministerial administration, which is just on 12 years, I have not had a more loyal adviser on administrative matters and Government policy than the late Mr. Melville. I contrast the loyalty of such a man to his Minister with the actions of the man who is being dealt with here today, a man who said in sworn evidence that he hoped the Labour Government in this State would live. Surely he does not ask me to believe that? It is asking too much of me to ask me to believe that.

A loyal public servant has no need to disclose his politics to the Minister to whom he is responsible. As long as he does his job, his Minister is not concerned with his politics. I think the letters that the House has agreed to insert in "Hansard" will give those members of the public who read "Hansard" some idea of the conduct of Mr. Creighton.

And now I come to page 694 of the transcript. It reads—

"Mr. Casey: I submit in no conceivable circumstances could it be said that he would be justified in dealing with any of the State's business by indulging in any surreptitious correspondence.

The Commissioner: I certainly did not intend to suggest that. What I had in mind was if, as he suggests, there was something wrong in which the Minister was involved, that instead of going to the Minister when his loyalty to him had ceased, within his own mind at any rate, he should then have gone to the Premier or the Cabinet or the Governor. That is what I had in mind; not taking any steps, going to any outsider or going to a newspaper or a union, or anything of that nature.

Mr. Casey: I appreciate that was Your Honour's attitude, but, in the bare statement that was made, it might, through Press reports, have led to the public gaining a wrong impression.

The Commissioner: That is really what I meant—that if he concluded, rightly or wrongly, that the Minister's conduct was such that his loyalty to the Minister had ceased, he should then have gone to the Premier, or the Cabinet, or the Governor, and not to an outsider. That is what I meant and I hope it would not be construed otherwise.

Mr. Casey: That is made perfectly clear now."

How can the Leader of the Opposition claim that Mr. Creighton could not go to the Premier, the Minister, or the Governor, when the Commissioner, on whom the Opposition seem to depend so much, indicated that that was the course Creighton should have followed?

I have already said that Mr. Creighton was guilty of many things. I said that he was guilty of treachery and deceit. Under that heading could be included the fact, as has been mentioned previously, that he went to the extent of preparing the replies to attacks on the Minister. The replies that the Minister gave in this House to the attacks made on him through "The Worker" and elsewhere, were actually prepared by Mr. Creighton himself. He sat in this Chamber in the section set aside for departmental officers attending Ministers and listened to everything his Minister had to say in reply. He went to counsel's office and heard the case prepared for submission to the commission in favour of the Department of Public Lands and justifying the Minister's actions. I should be surprised if many hon. members opposite would attempt to justify his action. To save time I refer hon. members to pages 564, 610, 774 and 775 of the transcript of evidence. There they will see ample evidence in Mr. Creighton's replies to counsel of the charges of treachery and deceit that I have made against him.

I spoke of character assassins. The Premier mentioned the references to the site of Lennon's Hotel at Broadbeach, Woolerina pastoral lease, Kileummin, Bombine, Coomrith, and all the other grazing properties involved in Creighton's allegations. I understand it was even suggested that a son-in-law or other

relative of the hon. member for Aubigny was going to contribute to Labour Party funds in return for some concession that might be conceded to him. We know the findings. It is not for me to elaborate on them but apart from the fact that the Commissioner said not one word in Creighton's favour, the report contains much evidence damning him. In that respect I want to turn now to the instance that I really want to get on record to prove that Creighton lied. This appears at page 695 of the record, in Creighton's evidence—

"By Mr. McCawley: What you did was to attempt to exercise pressure on the Government through the pages of 'The Worker'?—In effect, yes.

"I suggest to you that it is clear that the imputations made against the various people—Mr. Foley, Cabinet and so forth—have been fabrications. Do you understand, I suggest that?—Yes.

"But for the most part, outside this hall. I am now going to suggest to you that in the witness box this morning you deliberately lied when you stated that White's lease had been extended?—

"The Commissioner: that is Hawkwood?

"Mr. McCawley: Yes.

"By Mr. McCawley: Did you not?—I stated that I believed that to be the case.

"How could you believe that to be the case? You know the facts, do you not?—That is my recollection.

"You dealt with the matter?—No.

"Look at this lease. (Shown to witness.) Look at the term there?—'In consideration of the—'

"Are you looking at the term, the period?—It is for 30 years from October, 1935.

"That will bring it to 1965. Was it ever extended? You can answer that question?—No.

"Why did you say that it had been extended?—It was in my memory that it had been. The concession was of a different sort."

Here was a man occupying a responsible position and handling the documents and files, as he would be required to do, and he was prepared to tell a lie on that very matter. At page 696 Mr. Creighton is being cross-examined by Mr. McCawley, and the evidence reads—

"Forget about that. Dealing with the length of the term, you say that you harboured suspicions that the length of the term had been extended?—Yes. I was incorrect in that degree.

"If you had that suspicion, you could very soon have dissipated it by looking at the lease?—Yes.

"Yet you have been content to make an allegation of corruption against your Minister. It is an allegation of corruption, is it not?—Yes.

"And a glance of five seconds at the file would have dissipated your suspicion so far as the extension of the term was concerned, would it not?—Yes. I did not have the file available."

The Chairman of the Land Administration Board did not have the file available! He was not prepared to look at the file to see whether he could sustain the allegation before he made it.

At page 125 of the report, the Commissioner had this to say—

"Mr. Williams' evidence was that he saw Mr. Creighton in the latter's office on the afternoon of 4 July, 1955. Mr. Creighton mentioned the deputation to the Minister of 17 September, 1954. He said that the purpose of it was to make representations to the Minister to have ringbarking made an allowable improvement. Mr. Creighton said £100—ten £10 notes—had been left on the table as a 'down-payment' for something they expected to receive. He also said there were two members of the delegation who could not come but the eight men represented ten different landholders. Mr. Creighton did not mention any name as that of the person leaving the money but Mr. Williams' impression was that he said it was the last man to leave the room. Mr. Williams also said that Mr. Creighton showed him a list of the names of the members of the deputation and he copied them out, putting crosses against the two who he was told were the spokesmen.

"The account which Mr. Williams said Mr. Creighton gave to him purports, in effect, to be that of an eye-witness and not based upon any anonymous telephone call. It is difficult to imagine any reasonable explanation for the disparity between what Mr. Creighton says he told Mr. Williams and what Mr. Williams says he was told. It would seem from the evidence of Mr. Bukowski that, when Mr. Williams and other officials of the Australian Workers' Union saw the Premier, Mr. Williams gave substantially the same account of the allegation as he gave before me. I can see no reason why Mr. Williams should invent the account which he said Mr. Creighton gave him and the disparity between the two accounts is so great that it could hardly be attributed to mistake on Mr. Williams' part."

In other words, the Commissioner calls Creighton a liar and says he believes Williams. The Commissioner went on to say—

"The transcript of the notes taken at the deputation does not seem to bear out the account of the proceedings which Mr. Williams said Mr. Creighton gave him. Mr. Williams appeared to me to be an intelligent and honest witness.

"I am not really concerned to decide whether Mr. Creighton gave Mr. Williams an apparently factual account of the alleged incident and then invented

the anonymous telephone call and caller to give an account which would not place him in the role of an alleged eye-witness. Even if he did, and that amounted to corrupt conduct, it would not be corrupt conduct in respect of a dealing or dealings with certain Crown leaseholds. But whatever the position in regard to Mr. Creighton and this alleged incident, there is certainly no evidence upon which I could find that it took place either in the manner which Mr. Creighton said the anonymous telephone caller described to him or in the manner which Mr. Williams said Mr. Creighton described to him."

In my opinion the Commissioner in his own language is describing Mr. Creighton as a liar. He continued—

"There is no evidence upon which I could possibly find that £100 or any other sum was ever paid or promised to the Minister in connection with any proposal to make ringbarking made an improvement for which a lessee would be compensated on the expiration of his lease."

At page 126 the Commissioner further says—

"Mr. Creighton in his evidence said that, while he and the Minister were on a journey to Canberra in 1954, the latter told him that Mr. Loughnan—then the lessee of Dutton River—had given him a racehorse—a colt. The Minister said the horse was in Sydney and he was going to have a look at it upon this occasion. The information was volunteered apropos of nothing in particular and Mr. Creighton made no comment. The Minister later told him that the horse had been killed by a falling tree. Later still the Minister told him that Mr. Loughnan had also given a racehorse to Mr. J. R. Taylor, M.L.A."

"I am satisfied that Mr. Loughnan did not make a gift of a horse either to the Minister or to Mr. Taylor and that the Minister did not say that he had."

Is not that again branding Creighton as a liar, whatever construction you might put on it. The report continues—

"The facts of the matter are that Mr. Taylor proposed to lease a colt from Mr. Loughnan and asked the Minister to share the expenses of training and racing the colt. The Minister agreed and a lease in usual form was entered into by them and Mr. Loughnan. Before the colt was put into racing condition and started, it was accidentally killed and Mr. Loughnan, as owner, received the insurance money payable on account of its death."

"I am satisfied that there was no such gift as alleged either to the Minister or Mr. Taylor."

"There was also an allegation in one of the letters from Mr. Creighton to Mr. Williams that Mr. Loughnan had arranged for the Minister and Mr. Taylor to visit Dutton River as his guests and was paying their air fares. There is no reason that I can see why they should not have been

Mr. Loughnan's guests at Dutton River or anywhere else. That, in itself, is perfectly harmless. Mr. Creighton said that the Minister told him of the arrangement and the Minister denied that there was any such agreement and that he told Mr. Creighton that there was. If he did tell Mr. Creighton I can hardly think he would tell him that Mr. Loughnan was paying the fares. However, as there is no suggestion of corrupt conduct on the part of or in relation to Mr. Loughnan, it is unnecessary for me to resolve the conflict."

So I say that if hon. members care to go through the transcript and the report of the Commission they will find abundant evidence to justify the action taken by Cabinet in requesting Parliament to decide whether Mr. Creighton should remain in his office or whether he should be dismissed. I quote the following evidence from pages 891 and 892 of the record. Mr. Green who was counsel for Mr. Williams, asked Mr. Creighton the following questions—

"Leaving aside Mr. Foley for the moment, do I state the position fairly if I put to you that you have no suggestion of any corrupt action against any other Labour Member of Parliament in Queensland?—No."

What did he say here today? I continue the quotation—

"Put it another way: have you any evidence whatever to offer of any corruption against any other Labour Member of Parliament leaving aside—? No, I have not."

"None at all?—No evidence—only—"

"None against Mr. Dufficy?—That would not be correct. I at least inferred the possibility of corruption."

"You only wish people to infer corruption; but have you any evidence of corruption?—To Williams I have inferred corruption of other people."

Later, on the same page further questions were asked by Mr. Green—

"You knew, of course, that Williams was going to pass on any facts that you gave him to 'The Worker' newspaper, did you?—Yes, I knew there would be a limit to what could be published."

Just on that point, you are not complaining about what was published, are you?—No.

"It did not exceed any information that you gave him?—No."

"So, when you communicated with Williams, in the first place, you promised him that you would give him certain facts upon which articles could be written in 'The Worker' newspaper?—That is so."

On page 915, Mr. Green asked the following questions—

"You have never alleged that any Minister apart from Mr. Foley was involved?—(No answer.)"

"You remember in the Senator's speech—'Certain ministers are involved'?—Well, if you read my letters, there is an inference that there must be some others too.

"You do not specify any others?—I mentioned the Premier.

"You are not alleging any corruption on the part of the Premier, are you?—I do not—

"Just answer that question if you would?—Yes, that is an inference to be taken from my letters. I did not know who in particular; but I assumed there must be some person in charge of what I thought was a party fund.

If you did not know, how could you allege that the Premier was guilty of any corruption?—Well, if money was to be paid to the party funds it would not be paid to one man, or more than one man would know about it.

"You believed that, did you?—Yes.

So it goes on. In the first place he said that he had no charge of corruption against any other Minister or hon. member of this House and a minute or so later he proceeds to make a charge of corruption against an hon. member. Earlier in the evidence in reply to Mr. Casey he said that he had no evidence of any kind against any Minister or hon. member.

I conclude by referring to "The Sunday Mail" article that dealt with his approach to the Secretary for Public Works and Housing and the Secretary for Labour and Industry. That paragraph was put over the air by the A.B.C. It received immense publicity. He conveyed the impression that he had unfolded to those Ministers all his suspicions in regard to these matters. I have not the time to quote the evidence but, if hon. members look at the transcript, they will see his sworn evidence. He stated after being pushed by the Commissioner and by counsel to some extent that the only subject discussed was "Lundavra." Then he has the hide to write in the public Press and convey the impression that he went to these Ministers and disclosed all his suspicions. He went further and said that he was disappointed because they did not show their disapproval. Apart from the letter written by the Secretary for Labour and Industry, which was read here today, and the letter written by the Secretary for Public Works and Housing, it is apparent from Mr. Creighton's sworn evidence that at the request of both of those Ministers he provided them with certain details. It is within the knowledge of the Premier and other Ministers that both those Ministers brought the matter to Cabinet. Neither Creighton nor anyone else was able to produce anything in regard to "Lundavra" and as the Judge ultimately found, there was no corrupt action in respect of "Lundavra." Who are we to go harking after Cameron?

In any case, may I refer the hon. member for Barambah to his remarks which appear at page 1180 of "Hansard" of 4 November, 1954 regarding Mr. Cameron and the great work he was doing. I also refer the Leader of the Opposition to page 1173 of "Hansard" of that year. The House was informed by the Minister in these terms, "We are having an investigation made to see if there are other people in the State doing the same thing. The object of Cabinet is to give special consideration to such people," and so on. Of course the House was informed that certain action was being taken in respect of "Lundavra," and the hon. member for Barambah spoke in justification of everything that Mr. Cameron was claiming.

Have I to suspect the hon. member for Barambah because he visits the department and makes certain representations on behalf of certain Crown lessees? I do not suspect him, but that is the inference to be drawn from Mr. Creighton's conduct. If I adopted the same attitude as Mr. Creighton, would I not be equally justified in saying that he was guilty of corruption in claiming that Sir William Glasgow should have got on his area when it was being subdivided three blocks as against the two recommended? What would be the difference? I wonder whether at any stage of his career any Crown lessee has offered him money and whether Mr. Creighton has ever taken any money. That would have been a pertinent question before the commission, but, of course, in accordance with the ethics of the legal profession counsel do not care to drag in these things, and justifiably so, but if I listened to the rumours that came to my ears while I was Secretary for Lands and Irrigation I would have grave suspicions about officials of the Department of Public Lands in various parts of the State. I did not listen to them and it was no good listening to the rumours unless there was something concrete brought before me to justify me as Minister in taking action. The whole trend of Mr. Creighton's conduct, as I said before, was to engage in a campaign of slander against decent and respectable people—a sorry state of affairs for a man who has reached the position where he is appointed to an office where he has absolute protection by this Parliament. He could have snapped his fingers at the Premier or thumbed his nose at any of the Ministers. If he had taken the courageous action by reporting his suspicions, if well-founded, no Government could have resisted the demand for an open inquiry. Instead of that he adopted back-door methods and tried to solicit the help of people with the idea of eventually destroying this Government. There is no question about that. When it comes to the stage that I have to speak more on the political phases of the activities which led up to the commission, I will have other points to make. Let me say, in conclusion, that Mr. Creighton listed Mr. Gunn who

is prominent in the Graziers' Association as one of 10 men who had each contributed £10 as a bribe of £100 to corrupt the Minister. The Commissioner found that no such thing had taken place. There again is a demonstration of his state of mind and, one day when it becomes necessary for me to do so I will have to produce the handwriting of a certain person in this State where it was noted by this individual that Mr. Gunn knew all about this and was biding his time and was going to drop it just before an election. This is not the appropriate time to produce that document, but there will come a day when I will, and the author of it will not be able to deny his own handwriting. That will be interesting. The Government have not been on the defence in this matter nor likely to be on the defence in respect to any other matter that savours of corruption. It is significant that these charges were proved, according to the evidence submitted to the Judge, on happenings of six or seven years ago. Well, if we go digging into the dim past there are a lot of things people have done. As I said, it is a sorry state of affairs when you have an officer who has reached a high state of responsibility in this State who seeks to slander men who would be accepted in any part of the community as having a high character.

I see no reason why every hon. member of this House if he votes according to his conscience can do other than vote for the motion that Mr. Creighton should be removed from office.

Mr. HILEY (Coorparoo) (10.4 p.m.): I have listened throughout this quite lengthy debate, as other hon. members have done to every word touching on the issue before us. As I listened to the debate a curious air of unreality became more and more apparent particularly in the approach to the matter by Government speakers. I shall illustrate that air of unreality by quoting the contrast which the Treasurer invited us to make in comparing the quality of service given to him by Mr. Melville when the Treasurer was Secretary for Public Lands with the quality of service and loyalty given by Mr. Creighton to the ex-Secretary for Public Lands. That is a fair submission, and one that invites examination in all its aspects. However, a significant fact that stands out when you make a comparison is that Mr. Melville, who truly measures up on the Treasurer's presentation to the highest ideals of what can be expected of the holder of such an office, served a Minister who he had not the slightest reason to feel was guilty of corruption, or against whom a finding of corruption was subsequently made. There you have the difference between the standard of duty, loyalty and behaviour of a person who is serving under a Minister of undoubted integrity, and that of one who is serving under a Minister whose integrity

he suspects and who, as it eventually turns out, there is very good reason for suspecting. In other words, I might aptly draw the parallel of the sad experience of Australian cricketers trying to bat on a bad and sticky wicket and using techniques that would be suitable on a true and reliable wicket.

I submit that the standard of duty and the standard of loyalty displayed by a man change tremendously when he faces the extraordinary and unprecedented dilemma that confronted Mr. Creighton. Much has been made of the suggestion that because of some things that were said in cross-examination, and because of other things, there was no relation between Creighton's action and the ultimate setting up of the royal commission.

Mr. Walsh: He said so himself.

Mr. HILEY: It is true that he said so himself under cross-examination, but the Commissioner's report convincingly answers that. On page 4 of his report, Mr. Justice Townley sets out first of all the following extract from the speech made by Senator Wood—

"I have been amazed to read in the Press statements made recently by Mr. Bukowski, one of the leaders of the Australian Workers' Union in Queensland, in which he made charges involving certain people in Government positions in racketeering in land lease rents."

On page 5 he sets out a list of the Crown leaseholds identified by reference to articles in "The Worker," included in which is the leasehold of Dutton River, in respect of which the Commissioner made a finding of corruption.

Mr. Burrows: There were two leaseholds at Dutton River.

Mr. HILEY: And the Commissioner found corruption in respect of both.

To me it seems that there is an inescapable inference—and it appears to be widely accepted by the public of this State—that whatever can be said about the manner or language of Mr. Creighton's approach—and I shall have something caustic to say about both those things directly—Creighton's disclosures to Williams, then to the A.W.U., and then to "The Worker," picked up in turn and repeated in the Federal House, set up the chain reaction that resulted in the finding of corruption.

Mr. Aikens: That is indubitably obvious.

Mr. HILEY: It is supported by documents in the Commissioner's report. Consequently, I refuse to consider this matter as completely separate from the background and the atmosphere that led to a finding of corruption against the permanent head of the department. To my mind the matters are so closely interwoven that they cannot logically or properly be divorced.

Mr. Hilton: But he didn't intend that to happen, did he?

Mr. HILEY: That may be.

Mr. Hilton: That is all vital to the point we are discussing.

Mr. HILEY: I doubt even that. What otherwise would be his purpose?

Mr. Walsh: You cannot go against his own word on oath, surely?

Mr. HILEY: I noticed that Government speakers have been very skilful in choosing a word here and a word there from the evidence and trying to make much more capital out of them than out of a balanced review of the whole of the evidence contained in the Commissioner's report and findings. I have not the slightest objection to any hon. member's bringing the whole of the transcript of the proceedings into the House. It is our duty to consider Creighton's behaviour and the propriety of his actions on all of the evidence and not on selected parts of it.

It has been said truly that for the first time in the history of Queensland—and similar instances throughout the democratic countries of the world could be counted on the fingers of the one hand—Parliament, which ordinarily passes laws and leaves it to the court to interpret and administer them, is making itself the determiner, administrator, and interpreter of the law and deciding whether there was misbehaviour. We are in this rare instance a court and at least it behoves us to behave as a court should. We should permit the person concerned to be the subject of a charge clearly expressed and give him the right to be heard in person or through his counsel. We should then determine on the evidence before us whether the charge is sustained or not and it behoves us to determine whether it is sustained beyond a reasonable doubt. That follows the best principle of all judicial tribunals. In other words, in my judgment, it is our plain duty to consider this matter applying the same tests as the Commissioner himself applied when he considered the question of corruption charged against the hon. member for Belyando. He said, in words that commanded my respect and admiration—

"... nevertheless I think I should not make such a finding"—that is corruption—

"unless I am satisfied beyond reasonable doubt that it has been established, that all reasonable hypotheses consistent with innocence have been excluded."

He went on to say, after weighing the importance of hearsay, the evidence of corroboration, and so on—

"Although findings which I make are not binding on any person and can found no judgment of any kind, nevertheless I must, in my opinion, be mindful of the fact that a finding of corrupt conduct may result in grave consequences, and, for that reason, I think I should adopt the standard of proof above indicated."

I am very glad that the Commissioner felt impelled to put on record that standard of test that he should apply. I submit that it is the same standard that should apply in any British community. We should satisfy ourselves beyond a reasonable doubt that the case against the person charged is established and that all reasonable hypotheses consistent with innocence have been excluded. When I apply these tests my judgment is that a clear charge was laid out in unmistakable language. No-one could reasonably complain about the clear language used in the statement of the cause of suspension tabled in the House yesterday. It complies with all the requirements of a clear charge necessary under such circumstances. I do not think the slightest valid objection could be taken to the way it is dealt with.

Mr. Walsh: And you agree that he has admitted this?

Mr. HILEY: No, I don't. In parts there is not a shadow of doubt, but we will hear it all. I will go through this in detail.

It is our duty to see whether a case is established beyond a reasonable doubt. There is a further element in the proceedings of a tribunal such as this when it proceeds to act in a judicial capacity. The ordinary standards accepted in British communities for a tribunal to officiate in any judicial manner call for at least two prerequisites. The first prerequisite is that people should approach the hearing and consideration of the matter without any bias and without any prejudging. They must be prepared to hear the evidence, weigh it and then form an honest and informed judgment. The second prerequisite is that it offends all senses of propriety in British communities that anyone should ever allow himself to judge or aspire to judge a matter that so closely touches him as to savour of his being a judge in his own cause.

Mr. Burrows: In other words he should dodge his responsibilities.

Mr. HILEY: If a person's interest were so close that it touched him it would cause a stink in the nostrils of any decent person if he sat in judgment in his own cause.

Mr. Burrows: According to your line of judgment we are not competent to deal with this.

Mr. HILEY: I will come to that in a minute. All hon. members of the Government party should seriously consider the position they have put themselves in by arriving at a decision before the matter came to Parliament to be heard and by crying to the housetops before the trial took place—and this is the trial before these proceedings—"We predetermined the guilt of this man and we announce in advance what is going to happen."

Mr. Hilton: Have we not to propose a motion that the man ought to be removed?

Mr. HILEY: The Government went a lot further than that.

Mr. Hilton: You have to go a certain distance to do that.

Mr. HILEY: The Government went a lot further than that. As a matter of fact, the administration laid the foundation when they suspended Creighton from office. I have no quarrel with that.

Mr. Hilton: That was absolutely necessary.

Mr. HILEY: That was necessary, but to have it go to the Government Party with all the significance of a decision reached in caucus—

Mr. Burrows: And in your case as well.

Mr. HILEY: With a vast difference in decision.

Mr. Burrows: Everybody is out of step but my Jack.

Mr. HILEY: There will be many people in the State who might not like Creighton's action but they still will not think that the circumstances amounted to a fairly conducted trial. It offends all sense of propriety in a British community that anyone should act as a judge in his own cause.

Mr. Speaker, in view of Clause D of the Commissioner's findings in which he found as a fact—

"That the said Thomas Andrew Foley whilst Secretary for Public Lands and Irrigation did solicit from one Francis Marsh Bell a donation to Labour Party funds of £1,000 in return for which donation . . ."

—and it goes on to say that such constituted corrupt practice—that puts every member of the Government Party in a position of acute embarrassment in answering conscientiously, "Am I not personally involved in this matter? Is my personal reputation not at stake in the whole matter underlying the commission?" That point has to be made. It fairly shrieks from the whole background against which the case is proceeding. That, as a matter of necessity, will have to arrest the judgment and thought of members of the Government Party. If the members of the Government Party feel that in the background of the circumstances they can bring a free and unbiased mind to weigh the evidence and dispense justice without fear or favour, then it is their duty to act. If on the other hand they feel that because of finding "D" they are personally interested and their personal reputation is involved, and they cannot bring a mind free from bias then they should not act.

Mr. Collins: That applies to the Opposition as well.

Mr. HILEY: Exactly, but with this difference; finding "D" happens to be a finding against the Australian Labour Party as such.

Government Members: No.

Mr. HILEY: He found that Thomas Andrew Foley solicited this donation on behalf of the Australian Labour Party. Hon. members of the Government took the trouble to make it plain that the evidence was that he did not solicit the money for his own personal gain. We must assume that this matter will continue so I shall proceed to examine the charges laid against Creighton and the evidence in relation to him and to measure whether in the circumstances misbehaviour is established. If misbehaviour is established then beyond a shadow of doubt not only is the law clear but the moralities are clear. There would not be a shadow of doubt in law or in the moralities. The whole background of the case of misbehaviour was the wrongful communication of information which came to his knowledge by virtue of his office over a period and that he entered into a clandestine correspondence and so on. Let me say in terms more emphatic than any that have been uttered by members of the Government side that in ordinary circumstances I would regard the duty of secrecy as one of the most sacred obligations that concerned every person in the public service.

Mr. Walsh: Is the hon. member trying to build up an excuse to vote against him?

Mr. HILEY: There is not the slightest doubt that in normal circumstances that duty of secrecy is absolute. Consequently, I ask myself if there were any circumstances that overrode the ordinary sanctions and duties of the office and that would justify Creighton's departure from the ordinary rule of secrecy.

Mr. Collins: Does the hon. member not agree that most of his submissions were incorrect?

Mr. HILEY: I shall say that. The evidence before the commission, and I am glad it was supported by the amplifying statements made by the Secretaries for Public Lands and Irrigation and Labour and Industry, was that, as he had this doubt concerning the propriety of departmental and ministerial conduct, he did approach members of the Cabinet, not once but twice. First of all, he went to Mr. Lucy, and then to Mr. McLean. He then approached the Secretary for Labour and Industry and the Secretary for Public Works and Housing. Both of those Ministers have agreed that he conveyed his suspicions in regard to one matter. That is not contested. Both of those Ministers have said that the Premier was in due course informed in relation to that single matter. At that point I should say there was no deception, systematic or otherwise, by Creighton. He had these doubts and he mentioned one of them to those Ministers, and through those Ministers that doubt reached the Premier. It is a great pity indeed that Creighton's

advice to those hon. gentlemen was confined to that single matter. There is not the slightest doubt that the whole of the subsequent proceedings may have been vastly different if, instead of confining himself to his doubts concerning Lundavra, he had unfolded the full volume of his suspicions and doubts.

Mr. Burrows: Which did not amount to any evidence.

Mr. HILEY: That is accepted. He has made it abundantly clear that he had doubts but no evidence.

Mr. Burrows: What does the hon. member think of a man who talks and takes a man's character away, without any evidence to support his actions?

Mr. HILEY: I will say this, if nobody had any doubts and if everyone had waited for full and conclusive evidence, there never would have been a Royal Commission and corruption would never have been unfolded. Is that the answer the hon. member wants?

Mr. Burrows: I want something more substantial than that.

Mr. HILEY: That is the answer, corruption established.

Mr. Walsh: I think at a later stage on another occasion we could have a very interesting debate on the interpretation of corrupt conduct. The hon. member will agree that the Commissioner has found there was no criminal action on the part of the Minister, other than the Bell case, and that the Minister did not gain financially or materially.

Mr. HILEY: If the purpose of that interjection is to foreshadow the application of a big whitewash brush to the unfortunate person who is branded with corrupt conduct—

Mr. Walsh: To be honest, an action of a nature that you and I could justify could be interpreted as corrupt conduct within the meaning of the offence under the Criminal Code—actions that you and I would justify, and actions that I know have taken place at the request of Opposition members as well as Government members.

Mr. HILEY: If the purpose of that interjection is to suggest that all corruption means something that would amount to an offence under the Criminal Code, I point out that the Commissioner has dealt with that at considerable length, and has drawn a very proper distinction between the two.

Mr. Walsh: Very interesting.

Mr. HILEY: Very, very interesting, but nevertheless true and I should like the Minister to deny that anything which is sufficiently bad to warrant a Royal Commissioner making a finding of corruption on full proof—anything short of full proof he dismissed—is something which should

cause the greatest concern to this Parliament and everyone in the community. It is bad enough if we find ourselves in the position where his behaviour was such as to make it possible for a finding of corruption to be made. If it were not for some of the things I am frankly saying I do not like at all, nothing might yet have happened and corruption might still be rampant.

Mr. Hilton: Do you infer that corruption might have taken place?

Mr. HILEY: It could have.

Mr. Hilton: On whose part?

Mr. HILEY: On the part of the person found to be corrupt.

Mr. Hilton: In respect of what particular property?

Mr. HILEY: We have had a good bit of cup-reading today. A reasonable person could be justified in drawing the inference that where a man, not on one but on three counts is adjudged guilty of corruption, remains in the same office, unless something happens to limit his activities there could be further instances occurring. In my judgment it is a grave pity that Mr. Creighton did not make a fuller disclosure to the Minister whom he approached. He did not. What happened next must, I think be assessed on his failure to secure any response to the approaches he made to members of the Cabinet.

Mr. Hilton: There is a very interesting point there you want to examine.

Mr. HILEY: If the Minister will tell me what it is I shall examine it. I am determined not to omit the examination of any point.

Mr. Hilton: What was his next line of action after he approached Mr. Jones and myself?

Mr. HILEY: Obviously, "I have tried Cabinet and that has failed, I will now try other means."

Mr. Hilton: You will admit that he approached us on one matter and before any conclusion was reached he turned round and vilified myself and other people.

Mr. HILEY: I do not know that. On the evidence of the Secretary for Labour and Industry he said he was approached in Show week.

Mr. Hilton: So was I.

Mr. HILEY: The first correspondence took place in January or February following.

Mr. Hilton: At that time no report had been furnished and I read a certain letter today.

Mr. HILEY: The Minister is trying to suggest that if a man comes along and expresses concern about something and

nothing happens for six months he should have kept on waiting. The Minister might be right.

Mr. Hilton: He knew that an officer was engaged in making a trip round Queensland and compiling an extensive report which was not presented for months later.

Mr. HILEY: That is most interesting. If that is the case, we have been told repeatedly in this House that he made a complaint in regard to one case only, Lundavra.

Mr. Hilton: Quite so. That officer was not investigating complaints.

Mr. HILEY: Then, why was an officer engaged in relation to this complaint travelling all over Queensland inspecting all other places if the only matter under consideration was one particular place?

Mr. Hilton: That case was stated in conjunction with some other cases.

Mr. HILEY: Who said that?

Mr. Hilton: The Premier indicated it. It was revealed previously.

Mr. HILEY: Was it conveyed to Creighton?

Mr. Hilton: Of course.

Mr. HILEY: By whom? By you?

Mr. Hilton: No, not by me.

Mr. HILEY: By whom?

Mr. Hilton: He knew from his departmental position.

Mr. HILEY: All I can say is that that interjection, far from helping in a consideration of the matter, makes it worse. Rightly or wrongly, Creighton felt that he had gone to Cabinet and that although months had elapsed, nothing had happened. What should he do? Should he shut his eyes to what he felt was wrongdoing. Should he be prepared, month after month, to condone what he thought was evil and perhaps allow himself to drift into a position where he might even become a party to that evil? What was his duty? There you have the whole key to Creighton's subsequent behaviour, which measured by ordinary standards and under ordinary considerations, would offend me to the quick. It was for that reason that when the Secretary for Public Lands and Irrigation was speaking this morning and was developing his argument about the loyalty that a person owed to his Minister, I asked him whether he was presenting his argument as an absolutism or whether it was a qualified argument. He told me that he was presenting it as an absolute argument. That touches the whole merit of the case. No-one who really weighs the moral issues involved could accept the argument of absolute loyalty or absolute devotion under every conceivable circum-

stance. It presumes that loyalty is merited by the conduct, the outlook and the behaviour of the man on top. If he passes those tests with flying colours, absolute loyalty and devotion should be expected. But if respect is forfeited from on top, it cannot be ordered down below. To follow the Minister's argument to its logical conclusion, if the Governor of the Bank of England was raiding the vaults and asked a messenger to wheel the barrow out with the loot, the messenger should become an accessory to the crime. Did you ever hear such nonsense?

Mr. Hilton: Was any crime proved at that time?

Mr. HILEY: There was corruption present, which was proved later as a result of Creighton's disclosures.

Mr. Hilton: Mr. Creighton said on oath that he had no evidence whatever to offer.

Mr. HILEY: He said that under cross-examination, but an inspection of the whole of the record shows a clear link between his disclosures, the articles in "The Worker," the speech in the Federal House, and the setting up of the royal commission.

Mr. Hilton: Are you implying that because he was under cross-examination he was under duress and could not speak—

Mr. HILEY: No, but if the Secretary for Public Lands and Irrigation can spend some time in a witness box and have every word he utters held against him and come through without one decimal of error, he is a better man than I am.

Mr. Hilton: He said time and time again that he had no evidence.

Mr. HILEY: That is a different matter. I agree with the Minister there. Time and time again Creighton's evidence and his facts were haywire.

There is a social and moral duty that transcends the ordinary standards expected under ideal conditions. Where corruption or something of that character is present, a social and moral duty emerges that completely steps over the book of rules and completely tears away the ordinary sanctions and inhibitions that would be recognised by a faithful servant, because there is something greater at stake. That is the welfare of the State and its moral standards. To me that is the position in which Creighton found himself. He could not have been clumsier or more careless in his handling of some facts, but fundamentally he faced a position where his moral and social duties, in my judgment, excused him from the very high duty of keeping a quiet mouth in loyal service to a Minister he could respect.

A Government Member: And he could not have been more foolish in the selection of his confidant.

Mr. HILEY: Exactly. Creighton felt that he was driven to extraordinary measures. All the evidence, as I see it, suggests that Creighton's mental reaction was that in effect he had to set a thief to catch a thief. He had to resort to surreptitious, deceitful and clandestine methods to enable the possibility of corruption to be examined and assessed. I am bound to say that I was very unfavourably impressed by the manner of his next approach. Undoubtedly there was considerable mistake and the form and tone of his correspondence, I thought, was deplorable.

Mr. Collins: Yet you think he should remain in his position?

Mr. HILEY: You will hear my argument fully. At least I am trying to look at all sides of the case and I have not heard much of that nature yet. The only conclusion I can reach from the form of his correspondence coming from a man of his training and background is that he was writing to his audience in a way that he felt would be appreciated and understood by them.

Mr. Devries: Who would understand the "Bucket of whiskey?"

Mr. HILEY: Who would fail to understand it?

Mr. Devries: Who would understand it?

Mr. HILEY: The recipient did.

Mr. Devries: He was about the only one.

Mr. HILEY: Exactly. He was writing to the level of his audience in terms that his audience would understand. I remember seeing in "The Bulletin" years ago a cartoon that well illustrated the point. In deference to the gallery I will not detail all the trimmings. It showed two tramps sitting under a tree in Hyde Park. One had picked up a scrap of newspaper lying around and, reading it, he said to his mate, "Joe, what does this mean—"One man one vote"? Joe said, "Bill, you silly so-and-so. It means, 'One b—— man, one b—— vote.'" Bill said, "Joe, why don't they say what they mean?" In other words, some people are accustomed to a style of correspondence that would be offensive to others. Obviously this correspondence was never intended for open circulation. From its very nature there is no doubt it was surreptitious.

Mr. Burrows: Intended to be the basis of newspaper articles!

Mr. HILEY: Sure! That is the man's purpose. He felt, rightly or wrongly, that he was driven to surreptitious and deceitful methods to expose the background of corruption that was worrying the inside out of him.

Mr. Hilton: Do you believe that he was?

Mr. HILEY: I do, because I cannot explain it in any other terms.

Mr. Moore: That does not absolve his treachery.

Mr. HILEY: Does the hon. gentleman still say it is treachery if the person to whom loyalty is ordinarily owed is unworthy of it?

Mr. Moore: Treachery to the Government. He could have gone to the Premier. He could have gone to the Governor.

Mr. HILEY: The hon. gentleman has been away. If he had been here he would have heard me deal with that. I do not mind interjections from people who have been following the argument but I do not propose to listen to interjections from people who have been out of the Chamber and have not heard the debate.

I am nauseated at the nature of the correspondence Creighton chose to employ. I can explain it only by the fact that here is a letter never intended for publication in any wide sense. It was a personal advice written for a particular and secret purpose to the man to whom it was addressed.

There is not the slightest doubt in my mind that these letters caused the chain reaction which brought to light the corruption in the land administration of the State.

Mr. Power: It was never proved.

Mr. HILEY: Dutton River was. Read the report.

Mr. Power: You have another look at Dutton River.

Mr. Muller: Put the chicken back into the egg.

Mr. HILEY: Clause (a) of the charge says that Creighton communicated information which came to his knowledge by virtue of his office to Williams, and so on. Creighton admits that. Of course he did. The second charge in Clause (b) was also admitted. No-one could possibly doubt that such a communication took place. There are two legs to Clause (c). The first half is a statement of fact that he made complaints in a clandestine manner and there is not the slightest doubt about this.

(Time, on motion of Mr. Nicholson, extended.)

Mr. HILEY: I thank the House for the consideration and I will be as brief as I can. The second half of Clause (c) departs from merely stating facts and proceeds to outline what Creighton should have done—any complaints he desired to make should have been made to His Excellency the Governor, the Cabinet, the Premier, or Parliament by way of a report. I have heard no suggestion that he should have made complaints to all four. It is obvious from the way the charge is drawn that the Government considered that by taking any one of these courses he could fairly have discharged his responsibilities.

Mr. Hilton: He could have written to all four if he so desired.

Mr. HILEY: He could have, but any one would have been sufficient. There is no doubt that he made a partial approach. I have already dealt with the lamentable fact that it was such an incomplete approach he made to members of the Cabinet, and through them to the Premier. It is a grave pity that his observations to Messrs. Hilton and Jones were confined to Lundavra and that there was not a more general presentation of the concern he felt.

Mr. Moore: Don't you think he should have known the implication of that?

Mr. HILEY: Of what?

Mr. Moore: Of the limitation of what he said—a man in his position.

Mr. HILEY: He mentioned Lundavra and we were told tonight that almost six months later the matter was still being investigated and that Creighton would have known that from within the department. In my opinion Creighton would be entitled to say, "I tried two Ministers of the Crown with Lundavra. Where did that get me? It got me nowhere." That seems to me to be at least one point in justification.

Mr. Power interjected.

Mr. HILEY: While the Attorney-General was out of the House the Secretary for Public Lands and Irrigation was kind enough to tell the House about the inquiry set in motion—a widespread inquiry not confined to "Lundavra" and that that was still proceeding. I repeat, my view is that it is a grave pity that Mr. Creighton did not take more of the matters to the two members of the Cabinet and through them to the Premier. He took one and nothing happened, and it is not unreasonable to assume that he felt, "I have tried the Cabinet and it got me nowhere; I now have to try other means."

Mr. Hilton: That is a fallacious argument. Got him nowhere with what?

Mr. HILEY: With the matter that he brought before yourself and the Secretary for Labour and Industry.

Mr. Hilton: Where did he think he would get until the report was furnished?

Mr. HILEY: I do not know. He thought it savoured of corruption. It is also claimed that he systematically deceived the Government. If he think a Minister is corrupt do you think he is entitled to take any step to deal with corruption?

Mr. Moore interjected.

Mr. HILEY: According to the Secretary for Health and Home Affairs if a man serves a person he thinks to be corrupt he should go to him and say, "I think you are corrupt; I am going to the police."

Mr. Moore: I do not think anything of the sort. There were half a dozen ways that he could have taken if he was honest.

Mr. HILEY: It is also stated that he failed in his duty of loyalty to Her Majesty and her advisers. Let us get a slant on loyalty. Loyalty that means anything does not mean personal subservience and loyalty to a person. Loyalty is an ideal—something that springs from the heart. If loyalty meant that a man had to keep his mouth shut in the face of what he felt was wrongdoing, then loyalty to the man might mean the most grave disloyalty to the State. Rightly or wrongly, I have made it clear that many of Mr. Creighton's actions were foolishly taken, but I still think that he was in this position: am I going to be loyal to the Minister and disloyal to the State, or should I put my loyalty to the State above a personal loyalty to the Minister? That went to the essence of the matter of Creighton's behaviour. I repeat that I am very unhappy about some aspects of Mr. Creighton's behaviour but I cannot strip my mind of a reasonable doubt that the action he took, while strange to me, whilst one I doubt whether I would have considered taking myself, was one not without justification—justification to the point that entitles me to say to him, as Mr. Justice Townley said in regard to some matters concerning the hon. member for Belyando, "I give the benefit of the doubt."

Mr. Moore: Would you employ Creighton?

Mr. HILEY: I will consider that when he is free to accept employment and when he asks me for it. Much has been made of the deceit, the surreptitious behaviour and the playing of a double game in answers to counsel and so on. I think Creighton should have looked further ahead and should have realised the extraordinary difficulties with which he would find himself faced. Once a man sets out to play the part of a thief to catch a thief, eventually he will find that surreptitious and clandestine behaviour is unavoidable. I attach no particular significance to that aspect in this case. It had to follow from the course of conduct that he elected to take. If he had chosen other methods of bringing these matters to light, he may have avoided the necessity for that conduct. I find nothing monstrous about the fact that, having decided to adopt that method to bring corruption to light, he found himself in the position in which every secret agent, every spy and many police officers inevitably find themselves in the proper exercise of their duty. In their case they frequently have no alternative. Mr. Creighton may well have adopted other methods which would have avoided the awkward aspects of secrecy and clandestine behaviour, which characterised his behaviour, but, if you accept that he was justified in doing something to overcome corruption in this State, you must accept what flows with it. Much as I deplore the secrecy, the surreptitiousness and the false position in which Creighton inevitably found himself, if it is held that he was justified in taking extraordinary steps to stop corruption, those unpalatable things have to be accepted.

Let us now look at this matter from the moral aspect.

What will be the impact on the public at large and on the Public Service? I am going to say that the public will never understand the position if the ultimate result of this sorry matter is that the man who was found guilty of corrupt conduct retains his position and has most of his costs paid by the Crown while the man who helped in some part to bring the corruption to light is dismissed from his office and forced to bear his own costs. It would be regarded by most people as an outrage of decency and public affairs. It will be accepted as a calculated warning to all that, irrespective of the crime, the corruption or the malpractice that may be committed by a member of the Laour Party, the penalty for the informer is death. That does not savour of government. It savours of gansterism. It could well mean an end of the moral code in this State, and it could well be the start of a political dictatorship, a reign of terror in political administration.

What will be the effect on the Public Service? The effect on the Public Service will not be lightened by the threatening character of the observations made by the Treasurer on this subject. If this course is followed, the effect on the Public Service will be tragic. It will be a clear warning to members of the Public Service to shut their eyes and close their mouths irrespective of the wrong done by any Minister.

I have mentioned the tests of public reaction and the effect on the Public Service. Those tests alone should cause hon. members seriously to consider whether they should accept the motion now before us. I repeat that my whole approach to this sorry matter is that in so many directions I find myself out of sympathy with the decision that Mr. Creighton made and the way he behaved but, I cannot divorce from my mind the whole background against which he acted and the extraordinary background and set of circumstances which justified conduct which in itself was extraordinary. I repeat, my test of this rests on features that have emerged at certain stages in the minds of decent people, that there is a moral and social duty which transcends every rule in the book, every accepted sanction and inhibition. Much as I deplore his behaviour and the looseness of language and his proneness to exaggeration and mistake, I feel he is entitled to the benefit of the doubt on the basis that what he did was justified.

Mr. BURROWS (Port Curtis) (11.1 p.m.): The hon. member who has just resumed his seat used a cricket vernacular, and I think he was playing for a draw. To the best of my ability I have examined much of the evidence; I think I read quite a lot of it. I read the report through a number of times because, like every other

hon. member I am reluctant to come to a decision which might have such serious effects on a man's livelihood and future.

Mr. Aikens: And a serious reflection on the Public Service, too.

Mr. BURROWS: I should say that the Labour Party is more sympathetic in that regard than the Opposition. When I hear the pleadings of the Opposition over this silver-tail amongst public servants I wonder how much sympathy they would have had had the man concerned been some clerk on the basic wage. However, I particularly rose to reply to a couple of things mentioned by the hon. member for Coorparoo. He said, when referring to the approaches made by Mr. Creighton to Ministers, that because six months had elapsed before action was taken Mr. Creighton was entitled to go somewhere else. Mr. Creighton knew that a fellow member of the Land Administration Board was making certain inquiries, and those inquiries embraced the whole of the State. The Government could not give one lessee certain terms without making those terms universal throughout the State. This was a most important matter and a decision could not be rushed. There was no urgency, because Mr. Cameron had eight or nine years to go before his lease was up. There was no urgency in that regard. Mr. Creighton's motive was, and I make it plain, to play politics throughout. If one lives by the sword one should die by the sword. That is the theory I follow. If he wants to play politics, let him come out onto the hustings and play it the way we play it, not under the shelter of an Act of Parliament.

Mr. Aikens: Come up North and play it as we play it.

Mr. BURROWS: With respect to the hon. member for Mundingburra, I say that no matter how dirty they play it up North or how unscrupulous they are, their actions would not be worse than the manner in which Creighton played politics. He carried on correspondence under a nom-de-plume, yet hon. members opposite hold him up as a courageous man. I ask them how much courage is necessary to write anonymous letters, and how much less courage is necessary to write lies in anonymous letters.

The hon. member for Coorparoo said that Creighton got tired of waiting for some action following his interviews with Ministers. He did not get tired of waiting. He was desperate. He wanted Government policy to be what he thought it should be, not what the Government might decide as the result of their investigations. Let us take Creighton's own evidence of his conversation with Mr. Williams. He said—

“I added to that that it only required an authoritative statement from the Government that new leases of old properties suitable for subdivision would not

be given in declared closer-settlement districts to 'scotch' rumours that were current."

He wanted to change the policy. Although I do not consider Mr. Cameron to be an ideal settler, Creighton was afraid that he might gain some advantage. Creighton was not concerned about the policy of the Government; he was concerned more with his hatred of Cameron. He wanted Cameron's case decided some years before a renewal was due; he wanted it decided in the way he thought it should go, and not on the evidence.

Mr. Aikens: Has the Cameron case been decided?

Mr. BURROWS: I do not think he would have much chance of getting an extension now. However, I understand that it will be nine years before his lease expires.

The hon. member for Coorparoo said that Mr. Creighton raised something that was believed by the Commissioner. I interjected at that stage and the hon. member mentioned Dutton River. What Mr. Creighton raised in the Dutton River case was the lease to Loughnan, in respect of which the Commissioner said he could find no evidence of corruption. There was a finding on Dutton River, but it related to a lease held by Mr. White. He died in 1951, at which time Mr. Creighton was not even a member of the Land Administration Board. He did not become chairman of the board until 1953. However, he made allegations in his letters to Mr. Williams that the lessee of Dutton River was to get certain concessions, which the Commissioner found he did not get.

I wish to correct the hon. member for Coorparoo on that point. None of the matters mentioned by Mr. Creighton to Mr. Williams, and none of the articles that appeared in "The Worker," had any substantial basis. In no instances were the allegations contained in them sustained in the Commissioner's findings.

Mr. Creighton is a very lucky man that Mr. Bell of Camboon kept something in cold storage for seven or eight years and decided to unload it at a time when the commission was on a very sticky wicket. In my opinion Creighton is not fit to remain in his office. A higher standard of devotion to duty, loyalty and similar virtues is expected of a man occupying such a position than of someone in a lesser post. Creighton wrote many letters to Mr. Williams containing scurrilous matter. I think "scurrilous" is the correct word to use when describing an attempt to rob people of their character. I have always been taught that it is better for 10 guilty men to escape than for one innocent man to be punished. In this case the order is reversed and we have the 10 guilty men all in a heap. In the case of the alleged bribery the character of at least eight men was attacked and for the rest of their lives it will be brought up, especially if any of them stands for Parliament. It will be said, "Oh, you gave £10 to

a Minister for some concession." I do not think there will be any doubt in anyone's mind that the Commissioner by implication found that Creighton was not telling the truth there.

The Commissioner said—

"It will be noticed that I have made scant mention during the course of this Report to Your Excellency of the articles which appeared in 'The Worker' the material supplied by Mr. Williams to Mr. Bukowski as a basis for those articles and the correspondence whereby Mr. Creighton supplied most of that information to Mr. Williams. The first and second were almost wholly dependent on the third and the third consisted of accusations and insinuations and not of evidence."

Creighton is not an ordinary layman. He has occupied a judicial position and he has had considerable Court experience. His salary indicates that he would be expected to have more than the ordinary knowledge of the value and need of evidence, but, according to the Commissioner there is not the slightest evidence in any of his accusations. In other words, he was guilty of making loose and false accusations. A man guilty of such a thing cannot be allowed to occupy such an important position.

Members of the Opposition have said that we are not competent to deal with the matter. We have been elected by the people and if we are not competent to deal with this or any similar case the whole foundation of the Parliamentary system must collapse. Once elected we must accept responsibility and do our duty conscientiously. It is not easy for a Labour man to vote a man out of a job. At the same time, it is hard to get a Labour man to evade his responsibility and to let politics influence his judgment. After reading all the evidence I honestly say that I do not think Creighton is fit to occupy such a high and responsible position. I make no apologies for saying that and I challenge anyone to say that I am not honest in my conviction or that I am obeying anything other than my conscience.

Mr. MULLER (Fassifern) (11.15 p.m.): In prefacing my remarks let me say that this incident has been the most regrettable in my experience in this House. Perhaps that is the feeling of many hon. members present. In examining a case like this we have first of all to look at its background and then assess Mr. Creighton's actions. We heard him here this afternoon. I have nothing in common with Mr. Creighton and like the Premier I have never spoken to him in my life. I read the evidence fairly closely but I did not read the full transcript. The argument we have heard has been based on the evidence submitted to the royal commission and not on the findings. Criticism has been levelled at hon. members of the Opposition because they failed to read the transcript. It is a mighty job to read the transcript and examine all the evidence. We all know how

long the inquiry took. Fortunately I have had only one experience in Court and it cost me £125 for a copy of the transcript. That was a very small case compared with this inquiry. There are not many copies of the transcript floating about the place. Both the Premier and the Treasurer said we should have read the transcript and that there were copies in the library. I have since made inquiries and find that there is one copy available. The library is open from 9 a.m. to 4 p.m. With 24 hon. members of the Opposition how could we all have had an opportunity to read and study that transcript? I am informed that an ample supply of copies have been made available to hon. members of the Labour Party. If that is not correct I invite a denial from hon. members opposite.

It has been said that the Press acted in a partial manner. Again the inference is that they too did not read the transcript. The truth is that the transcript was made available to the Press daily, not as one document. I understand the writer of the leading article in "The Courier-Mail" read each day's transcript, or as much of it as he could, before the leading articles were framed. These red herrings that have been drawn across the trail will not impress or influence anyone.

We have listened to long arguments, particularly by the Premier and the Treasurer, based on the evidence. It was very clear to me that they shied clear of the findings. They were not prepared to discuss Mr. Justice Townley's findings, and after all that is the important part of the Commission.

When judging a person who is charged with misbehaviour it has first to be judged whether he acted in good faith. Did Mr. Creighton act in good faith? I admit that I do not agree with every action he took but the House should realise that Mr. Creighton was suffering tremendous strain. Later on I shall point out what caused that strain. He did not act in a spirit of malice. If he did so he would have been guilty of the charge made against him. He did not seek in any way to prejudice the Government politically or prejudice members of the Government personally. All the evidence leads one to the belief that Mr. Creighton's politics lean towards Labour. (Government laughter.) There is no reason why hon. members opposite should endeavour to dispute that point. Can anyone imagine a man whose politics were not inclined to Labour confiding in Mr. Williams. If he wished to make a political issue of the matter he could have made a complaint to the Opposition. I am safe in saying that not one member of the Opposition discussed this question with Creighton himself. No-one can reasonably suggest that he was imbued with political malice. I have endeavoured to point out that he felt that he owed a duty to the State and therefore was not guilty of misbehaviour. It is my policy to judge men as I find them. I never met Mr. Creighton, but after listening to him speaking today with deep emotion I was

tremendously impressed with the case he put forward. The incident today is the saddest experience of my life. There is nothing more unkind than to charge, convict, and sentence a man before you hear him.

Mr. Jesson interjected.

Mr. MULLER: The hon. member for Hinchinbrook should be the last to interject. The hon. member made a public statement that this man was going to be sacked.

Mr. Jesson: I did not say anything of of the sort.

Mr. MULLER: He did. It would be better if the hon. member kept his mouth closed. If he does not I shall not only hit him below the belt but throw him right out of the ring. (Laughter.)

Mr. SPEAKER: Order! I ask the hon. member to withdraw that remark. it is highly unparliamentary to threaten any hon. member.

Mr. MULLER: Of course, you are the judge, Mr. Speaker, and if you think it is I will withdraw it. I shall stick strictly to the question, particularly in view of the fact that we are likely to have an opportunity of discussing the findings of the Royal Commission at a later stage during the session.

An Opposition Member: The Premier promised.

Mr. MULLER: I think the Premier indicated that was likely to happen.

Charge (b) in the statement of the cause of suspension reads as follows:—

"During the year 1955 he used information gained or conveyed to him by virtue of his office for a purpose other than for the discharge of his duties and entered into a clandestine correspondence with the said Cecil Wallace Edgar Williams for the purpose of having such information published in a newspaper."

The charge goes on to say that if Mr. Creighton had any complaint to make he should have gone to His Excellency the Governor. Mr. Creighton dealt with that in his address. I want you, Mr. Speaker, and hon. members to place yourselves in Mr. Creighton's position. Would any of us in Mr. Creighton's position, with no concrete charge to make, take that step? As he admitted in his address today and as the Treasurer mentioned during the course of the debate, he had no concrete charge to make, but he had very deep suspicions, and the findings of the Royal Commission proved beyond all doubt that those suspicions were well founded. Suppose he went to the Governor. Would any hon. member present go to the Governor with a complaint of this kind? I think the first action of the Governor would be to lay the complaint before the Premier. The Premier in turn would convey the complaint to the Minister

for Public Lands and Irrigation. What do you suppose would have happened? Cabinet would have met and would have realised that Mr. Creighton did not have substantial grounds for the complaint to the Governor and he would have been dismissed promptly. There is no question about that. Mr. Creighton would have been asked to prove his case. If he failed to do so he would have been charged with disloyalty to his Minister.

The complaint goes on to say that his next move should have been a report to Cabinet. On his own evidence he had no charge to submit to Cabinet. What would have been the result? He would have been dismissed. The charge says that he should have gone to the Premier, but would the position have been any different?

The charge says that in so acting he systematically deceived the Government and Parliament and failed in his duty of loyalty to Her Majesty and her advisers. I challenge that statement. Did he deceive the Government? Did he deceive Parliament? He did not deceive me. I have read this evidence from the commencement and I have not been deceived. He did not deceive Parliament or the Government. If the Government are sincere and desire to clean up this matter, they have a responsibility to investigate the matter thoroughly.

Mr. Collins: Does the hon. member think his writing letters to Williams and giving the Minister the answers is consistent with honesty?

Mr. MULLER: To reply to the Minister, I am not suggesting for a moment that all his actions could be condoned, but I want you, Mr. Speaker, and the Minister, to imagine yourselves in a similar position. He was a worried man because he knew what was going on. I admit he made mistakes.

This morning the Secretary for Labour and Industry said that by his actions he proved himself temperamentally unsuited, or in other words that he was possessed of a warped mentality. The hon. gentleman did not use those words but the inference is clear. I agree with the Minister. At that time he was temperamentally unsuited. He was temperamentally unsuited because he was temperamentally upset. There is no question about that. The Minister said that he wrote letters in which he referred to the Government as Gair and Co. The hon. gentleman asked what would hon. members of the Opposition have to say if Creighton had referred to them as Nicklin and Co. As one of the company, I say that in view of the circumstances he would be perfectly right. That is my view. I should say that he was being disloyal but I would not say that acting in that way would be misbehaviour.

Mr. Collins: If he was working for you in one of your butter factories under the same circumstances, would you keep him on?

Mr. MULLER: If he was working for me in one of our butter factories and I was as guilty as the Commissioner found the ex-Secretary for Public Lands was, I would feel that he was justified. The action I would have taken would be this: if I was bowled out in that way and he was working for me, I would promptly resign.

He was charged with having conveyed information to a Mr. Williams for the purpose of having that information published in a newspaper. I should remind hon. members of an experience we had in this House only a few years ago relating to myself. In the course of an argument that developed the then Minister for Works, Mr. Harry Bruce, went out of his way and called for papers relating to my land tax returns. Those papers were presented in this House. Confidential papers were produced and the figures were mentioned. Those particulars appeared in "Hansard" and in the Press. Would hon. members say that the action of Mr. Creighton in passing on information to Mr. Williams was any worse than the action of Mr. Bruce in relation to myself?

In the course of his remarks the present Secretary for Public Lands and Irrigation said that Mr. Creighton joined the Department of Public Lands in 1923. If I make a mistake, the Minister might correct me. I followed his speech as closely as I was able. He has therefore been in the Department for 33 years and it has taken the Government all this time to wake up to the fact that he was guilty of treachery. He must have had a clean record, on the Minister's admission, to be appointed to his present position. He was appointed a member of the Land Administration Board on 14 February, 1952. If he was an unreliable person or unsuited or incapable of doing the job just why was he appointed to such a high and senior position by this Government?

Mr. Devries: There was nothing against him at the time he was appointed.

Mr. MULLER: But the Government have suddenly found out that he was guilty of some irregular practice. I am saying that there must have been some reason for this change of attitude on the part of Mr. Creighton. He did not simply deteriorate in a matter of weeks. He had grown up in the department, and all the information we can gather about him is that he has been a reputable and capable officer. Because he was suspicious and had every reason to be suspicious, he perhaps made a mistake in confiding in Mr. Williams. I am not going to criticise Mr. Williams. If something irregular was taking place, surely Mr. Williams and the A.W.U. were entitled to know of it?

Mr. Collins: Was not Parliament entitled to know of it?

Mr. MULLER: I will come to that in a minute.

On 9 November, 1953, Mr. Creighton became Chairman of the Board. I remind the House that in 1931 amending legislation was passed containing provision that the dismissal of the Chairman of the Land Administration was a matter for Parliament. That meant that the Chairman of the Board was answerable for his actions not to the Government alone, but to Parliament. Why then was he advised to go to Cabinet or the Government?

Mr. Collins: He could have done any of those things. That is the point.

Mr. MULLER: He was not answerable to Parliament alone, he was answerable to the people.

According to the charges laid against Mr. Creighton, he betrayed his position of trust. I cannot see where he did that. Immediately he suspected something irregular he used his own method of approach. I am sure that now no-one knows better than Mr. Creighton that he made a mistake, but he explained very fully today that he did not want to damage the Government politically. That is borne out by his demeanour and his actions before the commission, and also by reports that have appeared in the Press from time to time. However, he felt that because of the high and honourable position that he held he was obliged to do something and he was determined, by hook or by crook, that the people would hear about what was going on.

The Minister would not be the hoow, anyway.

There is not the slightest doubt that the whole of the circumstances must have been very disconcerting to Mr. Creighton. No-one could hold that office, knowing what had happened both prior to and after being appointed to it, without being suspicious.

I do not intend to deal with the whole of the evidence as the Treasurer did, but I shall draw attention to two or three experiences of Mr. Creighton's that led to his suspicions. For example, the Commissioner referred to the Hawkwood case. I ask hon. members to examine for themselves what happened in connection with the closure of the road through Hawkwood, and the Minister's action in going contrary to the advice not only of Creighton, but of every officer of his department, against the closure of the road. Three local authorities—the Eidsvold, Mundubbera, and Chinchilla Shire Councils—were interested and from memory I think it was the Mundubbera Shire Council that protested violently in Brisbane against the closure of the road. A petition bearing many signatures was presented to the Minister. The United Graziers' Association and indeed all users of the road complained bitterly. The matter was discussed with Mr. McLean, Mr. Ferguson, Mr. Creighton, and the land ranger and it was made clear that the road was required for the use of the general public but because of the persistent requests of the

late R. S. White the road was closed. If you were in the position of Mr. Creighton and you knew that, Mr. Speaker, would not you be unhappy? Would not you think there must have been something more than a gift to Mr. White and something more at the back of the Minister's mind to influence him?

We are not done with Hawkwood yet. Again, the late Mr. White appealed for an extension of the Hawkwood lease and to get it at a low rental he offered to clear 3,000 acres of land and to grass it. For that he expected a continuance of the lease at a half-penny an acre whereas all the officers of the department said that the true value of the lease was not less than 2d. or 3d. an acre. White's application was accepted by the Minister, though rejected by every officer of the department, and it worked out that the Crown gained a benefit of £615 and the late R. S. White gained a benefit of £9,950. I do not suggest that the Commissioner found corrupt conduct there. He did not. He gave Mr. Foley the benefit of the doubt. Nevertheless, I ask hon. members to examine Creighton's feelings. After all, Creighton could not by any stretch of the imagination be called a fool. He knew these things were going on.

Take the case of the sale of the Dutton River holding. In order to delay the sale the then Minister used the boggy of burr infestation. Officers were sent out to inspect the property and they reported that the infestation of burr there was no worse than on any other properties in the district. But the vendor company undertook to pay the whole of the working expenses on the property until the Minister had given his consent to the sale.

Mr. Aikens: £300 a week.

Mr. MULLER: There is no need for the hon. member to make my speech. As a condition of the contract the company undertook to bear the whole of the working expenses on the property until the Minister gave his consent. They amounted to £300 a week and the Minister dilly-dallied for five months so that it cost the company £6,000. Hon. members are not silly enough to believe that this action was not deliberate. No-one can tell me that there were no real reasons for the Minister's delaying his consent to the transfer. The solicitors tried again and again to get his decision, finally saying, "If you are not prepared to give your consent tell us that you refuse to consent to the sale or transfer." When the Minister was finally pinned down he said, "Yes, I will consent to the sale of the property provided that you pay another £300 and Mr. White will be required to clear that property of burr within the next 12 months." What happened? White got the extra £300 and he did not clear the property.

Mr. GAIR: I rise to a point of order. The hon. member is drifting away from the motion.

Mr. MULLER: The hon. gentleman does not know what I said. He has not been here.

Mr. GAIR: I have been listening to you and you have been off the motion for some considerable time. You are dealing with the Commissioner's report rather than Creighton and the resolution before the House.

Mr. SPEAKER: To some extent the hon. member has drifted away from the motion before the House and I ask him to connect his remarks with Mr. Creighton's misconduct.

Mr. MULLER: I will make every possible effort to keep within the words of the resolution. The Premier has not been in the House one minute while I have been speaking.

Mr. Gair: I have been listening to you.

Mr. MULLER: I did not see the hon. gentleman. He walked in and charged me with departing from the resolution. I have made reference to the royal commission's report to show the things that have influenced Mr. Creighton's mind. That is the only reason and if I am not entitled to do that it is only guessing.

The Premier questioned my right to speak. We gave him a silent hearing tonight and gave him an extension of time.

Mr. SPEAKER: Order!

Mr. MULLER: I do suggest that the Premier has walked in and endeavoured to stop me from speaking without knowing what I have been talking about.

I draw attention to what the Commissioner says about Nelia Ponds.

Mr. SPEAKER: Order! For the hon. member's information the Premier has indicated to the House that we will be able to deal with the report of the Commissioner at a later date. We are now dealing with the motion about Mr. Creighton and I ask the hon. member to connect his remarks with Creighton's misconduct as alleged.

Mr. MULLER: I am not dealing with the report at all. I will speak now of something that occurred at the Department of Public Lands in the presence of Mr. Creighton. A Mr. and Mrs. Douglas came to see Mr. Foley and Mr. Foley called Mr. Creighton into the room. He heard the argument and hon. members know what happened. These people had sold a property and after selling it they decided that they did not wish to sell and wanted to find some way to hold it, notwithstanding that they had already signed a contract of sale. When they signed the contract they were legally bound. The ex-Minister called Mr. Creighton into the room and I think he asked him if there was any means of evading the contract and Mr. Creighton replied that as far as he could see the thing was legally binding. The

Minister again refused to give his consent to the sale of the property. I shall not attempt to relate all that happened. That sale went by the board. About 10 or 12 months later the same people sold the same property to another party. On the first occasion they were to receive £105,000 and on the second occasion £147,000. They came to the Minister requesting his consent to sell and he promptly gave that consent and these people went home, and after pondering over their business they felt they had made a mistake and they came back to the Minister and asked if there were any means of stopping the sale. I do not want to weary the House by quoting the evidence.

Mr. Gair: It is a pity you would not weary yourself.

Mr. MULLER: As long as I do not weary you. Do not worry about me; look after yourself.

When they came back they asked for his help in order to stop the sale and he introduced the burr matter. Mr. Creighton was in the room. He knew the whole of the circumstances. If the hon. the Premier was placed in similar circumstances to Mr. Creighton he would be looking to someone in whom he could confide. He was out to honour the trust placed in him. There were several things that created suspicion in his mind. Mr. Creighton held the high office of Chairman of the Land Administration Board, and if he failed to disclose any corrupt or irregular practice he would be failing in his duty. It was something he owed to the people. Mr. Creighton was on a salary of £3,000 a year, which is an important consideration especially for a man of his age. It will be hard for him to obtain employment at that salary outside the public service. He had everything to lose and nothing to gain.

Mr. Power: He never thought he would be found out.

Mr. MULLER: It took the hon. gentleman 32 years to find him out and as late as two years ago when he was appointed to this position he said he was an honourable officer. The only charge the Government have laid against him is that he failed to be loyal to them. I would like to know how he could be loyal to any Government or to me if he thought that I was guilty of similar practices. He could not, if he was an honourable man.

If the Government are out to make a scapegoat of the man by criticising him, they have to look for some means of criticism, and the only criticism that they can level against him is his means of approach. The royal commission has proved beyond all doubt that corrupt practices were being carried on in that department.

Mr. Hilton: Not "were being carried on."

Mr. MULLER: Corrupt practice was carried on. It was proved beyond doubt. (Time expired.)

Mr. MUNRO (Toowong) (11.56 p.m.): The question before the House is whether we should or should not pass the motion. If it is passed it will have the effect of removing Mr. Creighton from his office as Chairman of the Land Administration Board.

In considering this question, we should consider and debate the whole of the surrounding circumstances. That has been established by the speeches made by the Premier and Treasurer tonight, and I think that practice is correct, because in my view this is one of the gravest and most important motions that has ever come before this Queensland Parliament. I do not say that because of the immediate personal effect on Mr. Creighton, but because of the tremendous importance of the reactions which are likely to occur throughout the State as the result of the passing of this motion.

Most of us realise that the two questions involved are interwoven. We cannot consider one without considering the other, the fact that there have been findings of corrupt conduct on the part of the then Minister and the fact that there is an allegation of misbehaviour on the part of a very high administrative officer. Most of us who have approached this question with an open mind have come to the conclusion that, however wrongly Mr. Creighton may have dealt with this matter, he thought he was taking effective steps to do away with something that was wrong. Almost the whole of the discussion has turned on the manner in which he acted. As a high administrative officer he was faced with an extremely difficult problem. It may be that he did not deal with that problem in the best possible way. That is the allegation he has to face. We are also faced with an extremely difficult problem. Let us examine ourselves in the same way as Mr. Creighton has been examined. Let us concede that the broad general purpose of consideration by hon. members in this Chamber is an attempt to do what is right. The first thing we have to recognise is that this is one of those rare occasions where we are acting in a judicial or quasi-judicial capacity. We are, in effect, a panel of Judges to judge the case of Mr. Creighton. This point has been dealt with to some extent by the hon. member for Coorparoo who has quite rightly pointed out—and I do not want to repeat what he said—that the normal course of procedure in any case of this nature would be that there should be evidence, there should be an opportunity for the person charged to present his side of the case and there should be an impartial consideration of it.

I should like to go on from the principles enunciated by the hon. member for Coorparoo to show how far our procedure has been from the procedure of a judicial authority. The first thing hon. members on this side heard of the case was the report in the Press that

caucus composed of hon. members opposite had prejudged the case and had come to a decision as to what the judgment was going to be, several days before this motion came before the House. I do not want to read the Notice of Motion in detail but the substance of it was that Vivian Rogers Creighton ought to be removed from the office of Chairman of the Land Administration Board. I ask hon. members particularly to note that this motion does not deal with his suspension but sets out that Creighton ought to be removed from the office of Chairman of the Land Administration Board. More as an afterthought, and after the matter had been prejudged, and after this motion was introduced, we have the suspension of so much of the Standing Orders as would otherwise prevent this House from granting Mr. Creighton leave to appear. I want hon. members to note the wording of the second paragraph to the effect that Vivian Rogers Creighton be given leave to appear in person or by his counsel at the Bar of the House and address the House in relation to the cause of his suspension. I want hon. members particularly to note the limiting words that Mr. Creighton be given leave to address the House "in relation to the cause of his suspension." Let hon. members note that very important limitation. All that Mr. Creighton was permitted to address the House about was in relation to the cause of his suspension. In other words, this House has not given Mr. Creighton the opportunity at all to say why he should not be removed from the office of Chairman of the Land Administration Board. On top of that, we heard Mr. Creighton quite early in the afternoon. I do not think he had heard the speeches of the present Secretary for Lands and Irrigation or the Secretary for Labour and Industry.

Mr. Walsh: He was in the gallery.

Mr. MUNRO: Whether he heard them or not, it was at 2.15 this afternoon that Mr. Creighton had a limited opportunity to speak on a very circumscribed subject. Ever since then, the House has been debating the matter and it was only after dinner this evening that we heard the speeches of the Premier and the Treasurer.

Mr. Gair: They were very good speeches.

Mr. MUNRO: They were very interesting speeches, in which was brought forward a great deal of matter that, so far as I know, may have been completely new to Mr. Creighton. In any case, Mr. Creighton has has no opportunity of rebutting those statements. If we regard ourselves as a judicial tribunal, if we regard ourselves as being the highest court of the land, as the hon. member for North Toowoomba likes to refer to us at times, where are the witnesses? Where is the evidence that is placed before this court to enable us to arrive at a just verdict? I have heard many allegations and I have heard many interesting speeches, but when I look round for real evidence I am shocked to find how little there is.

Mr. Lloyd: Tell us why Creighton did not make a report to Parliament.

Mr. MUNRO: That matter has already been discussed two or three times, and I wish to avoid going over matters that have already been dealt with. I am introducing something new.

I accept as some form of evidence the statement of the cause of suspension of Vivian Rogers Creighton; I accept as some form of evidence, although it was not made under oath, the statement by Mr. Creighton himself. But apart from that we have very little real evidence before us.

Let us examine the section of the Act under which we purport to act in passing this motion.

Mr. Burrows: Creighton was well aware of that section when he accepted the office.

Mr. MUNRO: I am not worried about whether Mr. Creighton was aware of the section. What I am concerned about is that obviously the hon. member for Port Curtis is not aware of it. I ask him to listen carefully while I read it.

The first paragraph of Section 15 of the Land Acts Amendment Act of 1931—and it is the dominant paragraph of the whole section—says—

“The members of the Board shall hold office during good behaviour, and shall not be removed therefrom unless an address shall be presented to the Governor by the Legislative Assembly praying for such removal on the ground of proved misbehaviour or incapacity.”

I should like hon. members to note particularly the words, “proved misbehaviour or incapacity.”

Mr. Burrows: In other words, he had greater protection than the average public servant.

Mr. MUNRO: Yes, and quite rightly.

Mr. Lloyd: Would he have greater protection than the Auditor-General?

Mr. MUNRO: Mr. Speaker, it is impossible for me to proceed if one or two hon. members opposite persist in continuous interjection. Their interjections are entirely irrelevant and it seems to me that they are designed to waste my time.

Mr. SPEAKER: Hon. members are not entitled to interject.

Mr. MUNRO: Except that I think Standing Orders mention continued interjections as being highly disorderly. I am sure you will pardon me for drawing attention to it but I think it is fitting that the hon. member for Kedron should have it brought to his notice.

Mr. LLOYD: I rise to a point of order. I do not think that is quite right. I have asked the hon. member for Toowong a question.

Mr. SPEAKER: Order! The hon. member for Toowong has no right to argue the question. He is making a speech and he should not be interrupted.

Mr. MUNRO: If I may comment on that again—I do not want to be in any way unfriendly to the hon. member for Kedron but I think we should have a discretion in proceedings in this House. It is now 10 minutes past 12 midnight. I am trying to make certain points and have only a limited time, and I am having very great difficulty in making myself heard.

I wish to emphasise the need for misbehaviour to be proved. First I will answer one of the interjections of the member for Port Curtis. He said that this was a higher degree of protection than that accorded to an ordinary public servant. No doubt that is because it is a very high and responsible office. I take it that the legislature had in mind that the powers and responsibilities of the holder were such that he should be protected from anything in the way of political interference. So he was given a protection similar to that given to the Auditor-General and to some extent comparable with that given to a member of the judiciary.

Mr. Lloyd: That was my question.

Mr. Walsh: Quite frankly, there is no justification for that provision. It was a good piece of salesmanship on the part of a certain person in 1931. I will tell you the story one day.

Mr. MUNRO: I will develop that argument a little later. So that we might see this matter in its proper perspective, I have mentioned that there are two features interwoven, the first that there has been a finding of corrupt conduct on the part of a then Minister of the Crown and the second this allegation of misbehaviour. To consider the matter in its proper perspective we should recognise that the really dominant feature, the one that will live in the memory of hon. members and of the people of Queensland, is that there has been a finding of corrupt conduct. The possible effect of that on the future of the State is more important than that there might have been some misbehaviour by Mr. Creighton. The corrupt conduct of the then Minister is the dominant feature, and it must flavour our whole consideration of the misbehaviour. If there were a fire in this building and a couple of firemen were going past, and because of the fire they jumped over the fence, damaging it and damaging flowers in the garden, then broke windows, such conduct which normally would be reprehensible would be viewed in a different light because they adopted what they thought to be the best method of dealing with the situation.

We must consider this from the personal angle and the question of punishment on Mr. Creighton. I feel that some punishment is merited. I do not think any of us could say that Mr. Creighton had acted rightly, but I do submit that there was much justification for the action he took.

Mr. Gair: Do you think he pursued every avenue open to him?

Mr. MUNRO: That has been covered fairly fully and I do not want to go over it again. I do not think either the hon. gentleman or I would have acted in the same way, nevertheless we must agree that Mr. Creighton was faced with a particularly difficult situation and there was considerable justification for the course he took. Because of that, if we regard this as a punishment, then it is excessive. If it is proposed to do this in the public interest and for the better administration of the Department of Public Lands then I think it is misguided in some respects because it is not directed to the right quarter. I consider public interest the more important question. I think it was the Attorney-General who said something to the effect that the higher the office the greater the power and the greater the responsibility. I am not quarrelling with that, but I am using it as an introduction to the very important point that an examination of the provisions of the Land Acts reveals that though Mr. Creighton occupied the position of Chairman of the Land Administration Board his real powers were not nearly so great as most people think. Section 17 of the Act sets out that the Board shall in the performance of its duties advise the Minister on the matters of land administration, and it also sets out that subject to the Minister it shall be charged with the proper and effective administration of certain matters. There are other similar provisions. There are provisions that do not refer particularly to the Chairman of the Land Administration Board but they do refer to the Minister. For instance, Section 43 of the principal Act deals with leases and says that the Minister may in his absolute discretion approve of an application or reject it. Section 47 dealing with occupation licences says that the rent shall be the amount notified or bid or fixed by the Minister, as the case may be. Section 120, dealing with the assignment of rights, provides for an assignment with the approval of the Minister. Section 130 (A) dealing with partnership agreements provides that if the Minister is satisfied he may in his absolute discretion approve of such agreement either in whole or in part. I was rather horrified to learn from the statement by Mr. Creighton that, although we have a Land Administration Board comprising three people, formal meetings of the Board were rarely held and it did not appear necessary to do so.

Mr. Hilton: During his term as chairman.

Mr. MUNRO: That is his statement. Let us look at the position that has arisen. Although, quite rightly, we have these legislative safeguards, for setting up a board of three persons, we have found that the practice has grown up that the Board does not meet.

Mr. Hilton: It meets now.

Mr. MUNRO: I am glad to have that assurance. I was horrified to learn that we had the position that tremendously important discretionary powers were being exercised by the Minister involving considerable sums as between one person and another and there was not even a formal meeting of the Board.

Mr. Burrows: Is not that a reflection on the chairman?

Mr. MUNRO: It may be a reflection on the chairman to some extent, but the Minister was the person responsible. I am not saying by way of criticism, but as a safeguard for the future, that I think the Minister would be doing a much better job if, instead of making these personal decisions, he saw to it that the Board met as a Board and functioned as a Board.

Mr. Walsh: Would he not be as competent as the Auditor-General to make a report to Parliament? Would it not be reasonable to expect that, if the Board was meeting under the previous Chairman, it would continue to meet under the new Chairman? How would the Minister know meetings were not being held?

Mr. MUNRO: Surely it cannot be suggested that the Minister would not know whether the Land Administration Board was meeting or not.

Mr. Walsh: If the hon. member had any idea of the administration of that department, he would realise that a lot of discretionary power is exercised by the Chairman of the Land Administration Board, not the Minister.

Mr. Nicklin: I am sure the Treasurer when acting in that portfolio would know when the Board met.

Mr. Walsh: That is so. When I was there I arranged that two members of the Board initial each document. We did not know the position until this inquiry started.

Mr. MUNRO: With the extremely difficult discretionary problems that must be decided within the administration of the Lands Department, it is necessary that there should be an independent Board of three persons. It is regrettable that the discretionary powers of the Minister are so great. He is in an invidious position, a tremendously difficult position, in that he has absolute discretion in those decisions. I have spoken in this Chamber on many occasions of the growth of ministerial powers. I feel that is one of our greatest problems.

Mr. Hilton: I am afraid you do not understand the method of administration in the department. The chairman took unto himself all the powers of the Board and made decisions without conferring with the other members of the Board.

Mr. MUNRO: Is it suggested that the Government are not responsible?

Mr. Lloyd: Would the hon. member suggest that Parliament is not responsible?

Mr. MUNRO: We are now learning of the position for the first time.

Mr. Lloyd: Parliament has never received a report.

Mr. MUNRO: In drawing attention to that I assert that the Chairman of the Land Administration Board should not have to accept all the culpability.

Mr. Lloyd: Would the hon. member say his position was different from that of the Auditor-General?

Mr. MUNRO: There are certain points of similarity.

Mr. Lloyd: Certainly, or in other words—

Mr. SPEAKER: Order!

Mr. MUNRO: The debate has indicated that there are very grave problems which can arise in the future in the administration of this department. Since the commencement of this thirty-fourth Parliament we have heard an address by His Excellency the Governor, and I must confess that I was extremely disappointed in not hearing that something was proposed to remedy the grave problems that have arisen in the administration of this important department.

Mr. SPEAKER: Order: I hope the hon. member will keep to the matter before the House.

Mr. MUNRO: I do not want to go away from it. I am concerned about the public reaction which there will be when we have had a debate bringing out the facts and if the only remedy proposed by the Government is to get rid of the Chairman of the Land Administration Board and nothing else is done to correct the matter.

Mr. Walsh: Could you imagine a notation such as this being placed on a file by a responsible officer, "This report could be put in the septic system?"

Mr. MUNRO: I have only limited time in which to speak. I think the Treasurer delivered his speech without interruption. These problems with which we are faced are not unique in the history of Queensland. These problems of corruption and possible corruption are things met with in other parts of the world and it is not inappropriate to this motion to suggest that matters associated with these two features do require some action other than that taken in this motion.

If I had the time I should like to quote a few extracts from a most useful little book in the Parliamentary library entitled "Political Ethics and the Voter" by Thomas A. Rousse (U.S.A., 1952). I think it would be useful for any hon. member to read. I shall skip the quoting of quite a few things I would have liked to read and read one by Paul H. Douglas in which he said—

"I have come to the conclusion that the whole level of government administration would be immeasurably and permanently raised if we were to adopt basic standards of propriety which are to be followed.

These standards could properly be embodied in the Administrative Procedures Act and should deal with the proprieties to be observed by administrative officials, applicants or litigants and their attorneys and representatives, and members of Congress."

I would have liked to quote two other useful statements but I have not the time. Perhaps I can read a concluding sentence from an article by August Heckscher who says referring to these cases of corrupt conduct and the rules for overcoming them—

"These may seem like general rules, but they suggest an approach to one source of corruption which may be immeasurably more fertile of results than spasmodic fits of public indignation released after the harm has been done."

My time is almost up but finally I should like to say that I think we should consider this motion mainly on the broad consideration of the public interest, particularly keeping in mind the statement by Mr. Creighton at the Bar of the House when he said, "I have already been condemned without a hearing." Taking that into account and whilst there are many things of which I confess we have no knowledge I feel that there has not been evidence placed before this House to justify the passing of this motion. For those reasons I am opposing it.

Hon. J. E. DUGGAN (Toowoomba—Minister for Transport) (12.34 a.m.): I have no prepared brief in the sense that a brief is prepared and consequently I do not propose to participate in the debate to any great length. I feel that there is a responsibility because of the importance of this occasion, that senior members of the Ministry and those members who might be directly or indirectly involved in the administration of the department that employed this particular officer forming the subject of the resolution, should take part in the debate.

I must confess that I find myself at variance with the hon. member for Coorparoo, who generally approaches these matters with a fair and an informed mind. He was of the opinion that those on the Government side who had participated in the debate did so with a curious air of unreality. I was rather

surprised at his adopting that attitude, because I think that he himself found extreme difficulty in justifying the time allotted to him to take part in this debate. The whole of his contribution was qualified by remarks about the conduct and attitude of the gentleman who is the central figure in this debate. Throughout the hon. member's address we heard phrases such as these: "The form and tone of his correspondence were deplorable." "I was nauseated by the character of the correspondence engaged in." "I felt that he made a more than lamentable approach to his responsibilities." "I agree that he did systematically deceive the Government." "I am very unhappy about much of Creighton's behaviour." "Creighton should have looked further ahead." "It is true that he did engage in duplicity, deceit, clandestine actions, false positions, surreptitious activities, secrecy," and so on. If an hon. member who is opposing the motion feels so unhappy about his feelings towards this gentleman and expresses himself in such language, I think it is he who approaches the matter with a sense of unreality.

I do not propose to state in the precise, formal language of the Secretary for Public Lands and Irrigation the charges against Mr. Creighton. That has been done clearly and succinctly by a number of Government speakers. Once the mechanics of the motion had been presented to the House, it devolved upon succeeding speakers to provide the supporting material that could direct the House to come to the conclusion that the Government have sponsored. The Premier, the Treasurer, and other members of the Government submitted abundant evidence from the transcript of the royal commission of actions that merit the disapproval of the House, and its authority to remove this gentleman from office.

As I say, I do not propose to go into all the detailed matters that have been discussed very adequately by those hon. gentlemen whom I have named, all of whom, particularly the Premier, who was the subject of some vilification and who was undoubtedly the subject of tremendous misrepresentation, were extremely temperate and generous in the way they presented their evidence and the reasons why Parliament should take action against Mr. Creighton.

I take the strongest possible objection to the attitude of Mr. Creighton, not so much to the actions that were responsible for his suspension and for the submitting of the motion, but to his action at the Bar of the House this afternoon.

Mr. Aikens: Do you think he should have come here and cried?

Mr. DUGGAN: When a person seeks the privilege that the standing orders and the practices of this and similar Houses of Parliament confer on certain people, he should appreciate that privilege and not engage in a violent and scurrilous attack upon leading members of the Government or condemn Parliament itself.

What is the use of people coming into this Chamber and talking about the need for a high standard in our Public Service and for the preservation of our Parliamentary institutions and for doing all things conducive to the acceptance by the public of the need to set the highest possible standards when the gentleman in question said here, "By the vote of the majority of the members I know I will be discharged from my office. By so voting Parliament will not dishonour me but will dishonour itself"? Do hon. members believe that those are the words of a man who came along in clear conscience and in a humble spirit to throw himself upon the mercy, generosity and justice of the members of the House?

Mr. Coburn: He did not ask for mercy this afternoon.

Mr. DUGGAN: I know he did not ask for mercy. All that he asked for was the opportunity to vilify certain members of the Government without any supporting evidence. On the other hand, fact upon fact in great degree was presented to hon. members by the spokesman from this side of the Chamber showing conclusively Creighton's unfitness to remain in his present position.

I want to deal only with the general conception and the general responsibilities of the members of the Public Service and those of us engaged in the discharge of our parliamentary function. Even the Leader of the Opposition said that Creighton's position was above that of an ordinary public servant and because of that he should have been exempted from some of the obligations attaching to the office of most public servants. Creighton himself said that if he had committed some misdemeanour or some offence it was small compared with the gravity of the offence committed by the Premier by virtue of his superior status in the community.

If one goes to those great lengths in trying to establish that a man is exempted from some fundamental obligations to the community and to Parliament, I think it is time to examine responsibilities generally. What is the means whereby our Parliamentary system operates? Is it not true in the first instance that we have a two-party or three-party system of government and is it not true of all parties that policy is propounded either by their conventions or in their caucus rooms and subsequently implemented in the House by way of legislation? Is it not true that members of all political parties are bound by the disciplinary powers which keep great political parties together? If there is any loosening of the strings of discipline, whether it be in the Army or any other of the armed services or private enterprise or Parliament itself, there follows a gradual disintegration, a lack of driving force and cohesion and a lack of direction in the activities of the organisation.

Mr. Aikens: But you must never confuse tyranny with discipline.

Mr. DUGGAN: I am very thankful to the hon. member for mentioning the question of tyranny but I cannot see that it has any relevance at all to this gentleman's case. He had the opportunity and he had a fundamental obligation to ventilate his grievance in the proper constitutional manner and I do not agree that the end justifies the means even if we go to the point of saying that the end was of such a kind as to merit the strongest approval of Parliament or the people. In all these cases there is an obligation to accept the acknowledged authority of one's superior, whether it be the child's obligation to acknowledge the control and authority of his or her parents or the obligation of the soldier to acknowledge the authority of his officers from his immediate superior right up to the Commander-in-Chief. So in the Public Service each person must acknowledge the authority of his superior. On the ministerial level there is a greater responsibility. I have in my own department men who frequently differ from me on various matters but the moment I say, "I respect your point of view but that is the decision or that is the policy of the Government," I know of no section which more honourably and efficiently discharges the obligation of upholding a decision, using all its skill and administrative force to make the scheme or policy work.

Mr. Hiley: In the absence of corruption that is perfectly right and proper.

Mr. DUGGAN: I am leading up to what the hon. member has introduced.

The inference was that because a Royal Commissioner found corrupt practice that thereby secured a dispensation for Mr. Creighton from the obligation of pursuing inquiries with his own Minister, or higher channels of communication and gave him the right to choose any course he thought he was entitled to because of his greater loyalty to the State and to pursue any means to see that his point of view was ventilated in certain quarters. I would accept that argument if there had been evidence of the corruption of any of these higher authorities available to him. I would accept that argument if there were evidence that the Premier was corrupt or if evidence had been produced that it was suspected that he was guilty of corrupt practice or that the Governor or members of the Cabinet or other authorities were corrupt. As pointed out by the hon. gentleman tonight Creighton himself said that there was no cause to reflect on the integrity or honesty of any member of the Cabinet, leaving out the Cabinet Minister who formed the subject of inquiry by the Royal Commission. Why was there any need to seek means other than that channel of properly constituted authority to ventilate his grievances? That is a fundamental point. It has been shown convincingly that none of these agencies available to him could be accused by any stretch of the

imagination of being parties to any corrupt or improper practices. The very defendant himself acknowledged that there was no blame or odium attaching to any of these people.

I mentioned earlier that there was an obligation on all of us. This applies to hon. members of the legislature carrying out their functions in accordance with the Constitution; it applies to the Executive, the Cabinet, members of the Public Service, the judiciary. All these things are important and necessary in the successful operation of a parliamentary democracy. We must have this system of observance of authority. I would be the last to suggest that any one should condone anything corrupt. Does the action of the Government suggest that they were anxious to condone, conceal or prevent the course of justice? The Government set up the Royal Commission. Was there a public clamour for it? Immediately some responsible person declared that certain alleged facts had occurred in Queensland, without any Press agitation and without any public demand for it, the Government, at the Premier's instigation, immediately called a special meeting of Cabinet which resulted in the appointment of a Royal Commission.

Dr. Noble: Was Mr. Foley in favour of the Royal Commission?

Mr. DUGGAN: He asked for it and when the Commission found against him he immediately resigned in accordance with the accepted practice. When we talk about altering the Land Acts and the system whereby people are given certain protection by reason of statutory forms, the revision of the Standing Orders and the Constitution, we might look into the question of dealing with people who indulge in character assassination and who, having been partly responsible for the establishment of a Royal Commission fail to come forward to give evidence in support of their allegations. That is a matter that should be looked into. That is rather a dreadful thing. Not only was the ex-Minister for Lands the victim of this policy of character assassination but also citizens who were found to be completely blameless. These people had to expose themselves to the risk of severe financial obligations in order that they might refute the baseless charges of a man who did not have the strength of character to come forward and sustain those charges. These people who make these airy speeches about the supremacy of Parliament and the need for integrity in public men come forward and do everything to protect a policy of character assassination and that seems to be the sort of thing occurring periodically. It can have the effect of destroying our Parliamentary institutions. That is an aspect to which I want to refer. The hon. member for Coorparoo said that he found himself in complete agreement with the clear case made out in regard to the charges. He complimented the Secretary for Public Lands on the way that the charges had been drawn and those responsible for drawing them. Not

only was the mechanics of the resolution well presented but the supporting evidence was piling up abundantly and showing conclusively that this man was recreant to his office and did a great disservice not only to our Parliament institution but to the great tradition of the public service. The suggestion that he is a victim of a campaign of destruction is something that should be debunked. With all this clamour for blood one would think one was in the bull ring with the crowd cheering for the blood of the Toreador. That seems to be encouraged by a section of our Press. As long as political capital can be secured against certain political organisations, particularly Labour, these attacks are considered proper and fair and all is done in the interests of democracy. It is arrant nonsense and it is untrue. In regard to the men carrying out public service, the sooner the public have a proper conception of what their duties and obligations are then the sooner we will have a proper operation of a system of parliamentary democracy of which we can be proud. I have never as a Minister believed in encouraging sycophants or flatterers around me. I think it is wrong of any Minister if he hopes to make a success to have people tell him how well everything is going. I believe that the best public servant is the man who has the courage to come and say if he thinks a thing is wrong. I should be thankful if a departmental officer came to me and said, "I want to give you the benefit of my departmental and specialised knowledge so that you might profit from my years of experience in the Public Service or my years of experience in this particular department."

An Opposition Member: Would that be so of every Minister?

Mr. DUGGAN: I think it should be the duty of every Minister to take advice of that sort, and to the best of my knowledge and belief that practice is followed by every Minister of this Government. This idea that a Minister's prestige is built up by having a bunch of sycophants around him is completely erroneous and false. I think all hon. members in this Chamber who view this question objectively will know that Ministers encourage strong, able and efficient departmental officers. If a Minister has the help of an extremely outstanding and able public servant he is built up also because of the help of this efficient officer.

I regret very much indeed that some hon. members opposite have sought to make political capital out of this debate. Since dinner, however, they have not felt inclined to press this problem with the same vehemence that they exhibited prior to the dinner adjournment. Before then they were using political clichés and endeavouring to make political capital out of the situation, but since then the tenor of their speeches has been that they regretted this sorry spectacle, that they did not approve of what Mr. Creighton had done in these matters,

and that they would not have been happy with a man like Mr. Creighton in charge of the department. Since dinner every speaker has apparently been trying to justify, under protest, his voting against this motion.

Mr. Munro: That is very unfair comment.

Mr. DUGGAN: It may be unfair. I am sorry if it is.

Mr. Munro: Speakers on this side of the Chamber have given impartial consideration to the subject.

Mr. DUGGAN: I accept with respect the remarks of the hon. member for Toowong, because he is always most inoffensive. He is always courteous and nearly always well-informed on these things. I did not wish to make any personal attack or criticism of the hon. member for Toowong, because he is a man for whom I have a very profound respect. I may be wrong in my judgment, but if I am wrong in my judgment I will have to accept the responsibility.

Mr. Munro: My protest does not apply only to myself. It applies also to the hon. member for Coorparoo.

Mr. DUGGAN: That does not apply to the hon. member for Fassifern, for whom I have a very high regard as a political scrapper. He did not come in here tonight, however, to engage in objective consideration of the question. He was full of belligerence. He even threatened to throw out of the ring my old friend the hon. member for Hinchinbrook, who suffers from arthritis. That shows how belligerent he was. I am only sorry that a challenge of that nature was not made to the hon. member for Hinchinbrook 30 years ago.

I do not want to labour this point very much. My sole purpose in rising was to stress the importance and the need for respect of lawfully-constituted authority and to emphasise the points which had not been covered by the previous speakers in regard to the great obligation on this man to pursue this channel of communication for the rectification of grievances.

Mr. Aikens: The hon. gentleman must realise that the public will have to be convinced that the Government's action was not prompted by vengeance.

Mr. DUGGAN: As a matter of fact, if the Government had in any way been contemptuous of public opinion it could have avoided a lot of the melodrama that seems to have revolved around this question in the last few hours by not giving Mr. Creighton the opportunity of coming to the Bar of the House. We invited him to come to the Bar of the House.

Mr. Gair: Without an application from him.

Mr. DUGGAN: And with no prompting and entirely on the volition of the Government itself we invited this man to come here. Unless that invitation had been extended to him and there was Press publicity surrounding the invitation we would not have seen the tremendous public gallery that has been here during the course of the debate. Yet, the hon. member for Mundingburra has the temerity to suggest that we are afraid of public opinion. To the contrary, we welcome it. We say that people should not take the garbled and prejudiced account of these proceedings as set out in the newspapers, but they should read the whole of the evidence in the first place and the whole of the debate as recorded in "Hansard." If they do that I am certain that the reaction on the part of the public outside would be favourable to the action which the Government have taken.

I regret very much indeed that if this resolution is carried, which I invite members to support, it will mean the termination of the services of a highly-paid and important member of the Public Service. I pay my tribute to the quality of Public Service administration in the State. If we are to be successful in building up the State we require not only wise legislation from this Assembly but active and efficient co-operation by members of the Public Service to see that the intentions of the legislature are carried out in the most efficient and economical way. I pay tribute to the many thousands of people in the Public Service who are desirous of making their contribution to the development of this State, and I regret very much indeed that a gentleman, because apparently of his phobia and prejudices, should try to get square with people he disliked and chose a method of correcting what he believed to be impropriety in certain places and has jeopardised the good name of the Public Service. I am sure that responsible members of it without surrendering their right to be outspoken and expose corruption where it occurs will agree. The Labour Party has never been afraid of exposures of corruption. In any case where there is the slightest suggestion of impropriety being practised successive Labour Premiers, including the present one, have taken immediate and prompt action to see that the people who make the charges have the opportunity of ventilating them in a place where a proper determination can be made and, if found guilty, adequate punishment imposed. We have nothing to be afraid of in that regard. This particular gentleman has, after a highly successful career in the Department of Public Lands where he displayed quite an extensive knowledge of the land laws of the State and a person in whom the Government imposed great trust and confidence, taken the action he did. As the hon. member for Belyando informed Cabinet, Mr. Creighton was a man to whom inquiries could be entrusted. He had implicit confidence in him and I think we are entitled to expect reciprocity in that regard. If a

man's conduct is to be questioned I feel that a gentleman, particularly one holding an important position such as Chairman of the Land Administration Board, would have taken his case to the Premier of the State who has always indicated his willingness and readiness to see an injustice corrected and people who feel that they are not receiving a fair spin are given the opportunity of having their grievance rectified and the position put right. I regret also that the hon. member for Belyando has had to suffer humiliation, embarrassment, financial loss and tremendous personal sorrow in this particular case. I think we might, in the midst of all this controversy, reflect a while upon the tremendous toll that is frequently exacted by a parliamentary system of government from those who have served the system faithfully and well. It can be said of the hon. member for Belyando that the Royal Commissioner found in a certain direction, but that the hon. member acted in no way to benefit himself. As the hon. member himself said very eloquently and very emotionally, even if it were found that he was guilty, all that could be construed was that he had been guilty of a wrongful exercise of his ministerial discretion. How many of us, day after day and hour after hour, are called upon to exercise our discretion? It happens in hundreds of cases. In the field of battle, how many times have we seen the great generals of contemporary history—the Alexanders, the Wavells, and other great military leaders—forced on the spur of the moment to exercise their discretion? When they were successful they were lauded as great military strategists. If they succeeded they were lauded to the skies; if they failed, they drew upon themselves ignominy and censure.

Dr. Noble: They did not solicit funds for a party.

Mr. DUGGAN: I am not discussing that matter. I do not know that it is possible for me to speak on this matter, Mr. Speaker, without going beyond your ruling. It is a matter upon which the hon. member for Belyando will probably speak when the opportunity is afforded him to discuss this matter in some detail. At this stage I do not accept the construction placed on the matter by the hon. member for Coorparoo, when he said that the personal reputation of every member on this side of the House was involved because of the alleged solicitation of moneys. I am not prepared to admit that my personal reputation, or that of any other member of the Government, is involved. I am not prepared to say that the hon. member for Belyando did solicit the payment of £1,000.

An Opposition Member: Are you saying the Royal Commissioner was wrong?

Mr. DUGGAN: No. The Commissioner had the choice of accepting the word of Mr. Bell or that of Mr. Foley, and he accepted the word of Mr. Bell.

Mr. SPEAKER: Order!

Mr. DUGGAN: I was provoked into saying that by the interjection. However, that matter can be dealt with on a subsequent occasion.

As a colleague and a friend, I can appreciate fully the unpleasantness, the embarrassment and the sorrow of the hon. member for Belyando to as great an extent as those people who feel the same sentiments towards Mr. Creighton. After an objective analysis of all the features of this case, I feel that overwhelming evidence has been given in a calm, detached and temperate manner by speakers on this side of the House from the Premier down.

Mr. Muller interjected.

Mr. DUGGAN: I have no brief at all, but the gentlemen to whom I refer have prepared and delivered briefs that do credit to them. Those who examine their submissions in "Hansard" cannot fail to admit that a case has been made in favour of the motion. I am sure that when all the clamour of the Press dies down, the fair-minded citizens of the community will realise that if Parliament accepts the motion it will have come to the only correct decision.

Mr. H. B. TAYLOR (Clayfield) (1.9 a.m.): Ever since this debate opened this morning, I have listened very carefully to all the speakers.

Mr. Gair: You mean yesterday morning.

Mr. H. B. TAYLOR: Yesterday morning. I stand corrected by the Premier.

Ever since yesterday morning I have listened very attentively to the various speakers on both sides of the House and have admired the manner in which they have presented their case. I am inclined to adopt the statement of the hon. member for Coorparoo that this is a trial. When he said that, my mind immediately went back to the time when I sat on several courts martial in the army and I compared this trial with the trial of an officer in a general court martial. It is the practice there, after the evidence has been given for the prosecution and the defence, for someone to be asked to speak on the character and personality of the accused.

I have known Mr. Creighton since 1939 when he came to my regiment in the artillery to offer his services in the A.I.F. He was then aged 39 or 40 years—past the age for enlistment in the A.I.F. However, he was determined to serve his country when it needed him, and I admired him for his sense of responsibility as a citizen. He enlisted as a gunner in the artillery and applied himself to his tasks and persisted with his ambition to become a member of the A.I.F. It was not long before the commander of the hon. gentleman who last spoke recommended him for a commission. Though

he was still excluded from the A.I.F. he was allowed to join my staff where A.I.F. artillerymen were trained. During the 12 months or so that he served with me I learned much about his personality, character and ability.

When I listened to the very able presentation of the case by the Secretary for Public Lands and Irrigation and the Secretary for Labour and Industry, I felt that they were more concerned with the manner of writing and the terms used than with the subject matter of the letters Creighton wrote. Later in the evening the Premier and the Treasurer in their effective and eloquent addresses dealt more specifically with the text of those letters. When I heard the Secretary for Public Lands and Irrigation elaborate his case and emphasise the words in the text and the facetious way the letters were written, I understood how Creighton had come to write in that strain. I knew Mr. Creighton when he was in an officers' mess of some 20 or 30 young subalterns. They were some of the finest soldiers Australia ever sent out. In their playful and high-spirited way they talked to some degree the way the hon. member for Mundingburra suggests Mr. Creighton wrote in these letters. If hon. members know anything about young men trained to the highest pitch of efficiency, physically fit, waiting to get away to do their jobs overseas, they will know how high-spirited they can be. It was Mr. Creighton's sense of humour developed in his Army training which probably inspired the manner in which he wrote those letters. I am not approving or disapproving but I understand the reason for such attempts at humour. We have all had the experience of making frivolous remarks which make people laugh but when they appear in cold, hard print it is an entirely different story.

Mr. Aikens: What did he mean when he said that Bill Power will lead the Labour Party into the mulga?

Mr. H. B. TAYLOR: I am not here to interpret what he might have meant.

Had Mr. Creighton stood at the Bar of the House there to be tried by seven field officers constituting a general court-martial a verdict would have been arrived at in a very different way. In a court-martial, after the evidence for the prosecution is heard—as we have heard it given to-night—and the evidence in extenuation is heard—as we have heard from some hon. members on this side—the President asks the junior member of the court to express his opinion. No senior member would express any opinion to influence the junior member. What has happened here? We had the senior members giving judgment.

A Government Member interjected.

Mr. H. B. TAYLOR: Do not be funny. Stand up and make a speech and do not act like a fool.

The senior members have passed judgment on Mr. Creighton. The senior members in Caucus have expressed their views and obviously the discipline that prevails amongst the governing body which has a majority in the House must have influenced such hon. members as the one who made that foolish and childish interjection. It must have influenced the junior member.

Government Members interjected.

Mr. SPEAKER: Order!

Mr. H. B. TAYLOR: I can drown them. I can drown a battery of artillery galloping into action. It was obvious when Mr. Creighton stood there that he realised he was being tried by this House; a decision has to be reached whether he should have his living taken away from him. He knew that every junior member on the Government side had been influenced and would act under the discipline that prevails in that Party. I have a great admiration for Mr. Creighton for his service to the Government. I appreciate his sense of responsibility to his country when he offered his services as a gunner. By application to his work he advanced to the rank of major and ultimately received a reward for his service. I pay tribute to the service he gave to his country when it was in need. It was because he was inspired with that sense of responsibility to his country in wartime that he still had that sense of responsibility to his State in peacetime. The manner in which he went about the thing after he felt suspicious of corruption on the part of the Minister could be debated indefinitely. He felt that he was doing something in the service of his State. The Government are making a martyr of him for his efforts to maintain honest administration, as he saw it and for going about it in the way in which he believed to be right. I believe that consideration should be extended to him for his service during the war and for his service to the State in the past.

Mr. FLETCHER (Cunningham) (1.23 a.m.): I wish to make a few remarks that I consider very important. Before making my general observations I wish to refer to some remarks by the Minister for Transport. The hon. gentleman deplored the actions of Mr. Creighton who, he said, villified the Premier. I think the hon. gentleman was hardly fair in this regard. My recollection was that the Honourable the Premier did not do too badly for himself. Mr. Creighton exercised his right to defend himself. In all fairness to Mr. Creighton I do not think it was too offensive. The Minister for Transport deplored the fact of the clamour for blood, presumably from this side. If there has been a clamour for blood from this side I suggest there has been a much more distinct clamour for the same blood from the other side. I paused to wonder during the Minister's remarks as to whom he had cast in the light of the toreador and whom in the light of the bull. I think

a few hon. members on the other side would cast Mr. Creighton in the character of toreador. The whole matter revolves round the alleged disloyalty to the Minister by Mr. Creighton. In my opinion it ignores to a certain extent the responsibility that overshadows even the personal loyalty of a man to his Minister. The whole conception of loyalty depends on morality and personal standards of truth or honesty. In my opinion all men have a responsibility and a loyalty to themselves, to the community and to the accepted standards of moral conduct which transcend any personal loyalty. I claim that this is instinctively felt throughout the whole community. Many times one hears the quotation, "I could not love thee, Dear, so much Lov'd I not Honour more." All hon. members are probably familiar with that. It conceives that his love or his loyalty depends on a background of truth and honesty. In my opinion we could justify the deviation from the loyalty, the personal loyalty, that Mr. Creighton owed to his Minister on the ground of public interest. As there was evidence or a suspicion of evidence or a conviction of evidence in Mr. Creighton's mind that there was corruption, I think we should concede that his loyalty to the Minister would be superseded by a more general loyalty to the public.

To meet this point, the cause of suspension lists certain things that in the opinion of the Government Mr. Creighton could have done, other than deviating from the obvious loyalty. He could have reported the matter to His Excellency, the Cabinet, the Premier, or Parliament. It is pertinent to ask if he could substantiate any statements. I do not think it could be sustained that those are good and effective methods that Mr. Creighton could have taken. We have to bear in mind the fact that in Mr. Creighton's mind not only the Minister but also the Party behind him was suspect. Whether that is true or not is beside the point. The point is that that was Mr. Creighton's conviction and the thing that caused him to deviate from his loyalty.

Mr. Walsh: The Judge thought otherwise.

Mr. FLETCHER: I am not sure that that is so.

Mr. Walsh: Read the findings and the evidence.

Mr. FLETCHER: In fact Mr. Creighton's conviction that there was something wrong in the department and his further conviction that there was nothing effective he could do in the nature of what has been suggested, because he had tentatively approached the Ministry or two Ministers on the subject and had been, to put it bluntly, knocked back or discouraged, prompted him to take the action he did take.

Mr. Power: That is not true.

Mr. FLETCHER: That is what Mr. Creighton thought, that he was not going to get any effective action by taking the formal course that he would otherwise have taken. He felt that his Minister was not playing the game. Even in this House we had evidence of the reaction he was likely to get. The former Minister for Lands and Irrigation told us after the matter had been opened that on no account would he or the Government take any notice of suspicions or allegations that were not backed up by legal evidence. As Mr. Creighton did not at any time have anything that could be called legal evidence, he felt that he had no alternative to taking the unusual and perhaps regrettable course that he did take. He was faced with the conviction there was something wrong and he would not get anything done by going to the Government through those avenues and he then chose to confide in an outside gentleman called Williams.

Mr. Aikens: A gentleman!

Mr. FLETCHER: Well, a man called Williams. Letters were obviously written in rather regrettable terms but entirely confidential in his mind at all times. The very nature of the letters proves that. He wrote to a man he had entered into an agreement with to clean up what was decided between them as something wrong in the Department of Public Lands. They had both agreed that something had to be done. The man Williams disclosed this fact when pressure was put upon him. On the face of the evidence here or that given at any other time, it is pretty difficult to know what Mr. Creighton could have done other than what he did believing what he did about the internal situation of the department and the Government.

In this statement of the cause of suspension it says, "The facts and inferences establish that the said Vivian Rogers Creighton was guilty of a breach of the trust and confidence reposed in him." If we examine the Royal Commissioner's report, it can with equal truth be said to have established justification for the uneasiness and suspicion that Creighton held. The man most implicated and against whom suspicion was held was brought in as having been guilty of corrupt conduct. Creighton himself was referred to as having acted with unwisdom but without indulging in corruption. This was the result of a full, fair and very impartial hearing under the leadership or guidance of an able and fair man who had more opportunity and possessed a lot more ability than any of us, for judging the whole matter. He had more opportunity of doing this than we if we debated this matter for a week. That is my opinion and I still hold it.

The Minister said yesterday morning that he had a painful and stern duty to perform. I believe he was speaking truthfully and I believe he regrets what he had to do. I suggest we all thought that this stern duty,

painful as it must have been, could have been directed against somebody else who was found guilty, because this man was found innocent. We were appalled at that particular aspect of the whole situation. The Minister, in presenting his case, concentrated on evidence given at the commission, but in my opinion it would have been more appropriate if he had directed our attention to the conclusions on the evidence rather than the individual pieces of evidence he selected from the large amount of evidence given. Particularly did he lay weight on the evidence given by Williams. In my opinion, that aspect of the evidence has been given entirely too much weight. Obviously the letters were written as confidential documents and were never designed to be used as written. They were something of the nature of a private diary.

A Government Member: They were to be used by "The Worker."

Mr. FLETCHER: They were not to be used by "The Worker."

A good deal of the evidence that has been adduced here was of a personal nature. It consisted of uninhibited comment and uninhibited impressions about current events between one man and another. Many of them were speculative and were not intended to be used as considered opinions. As I have said, they had something of the character of a diary or a confidential conversation between gentlemen. I take it that acute embarrassment could be caused if a tape recording was taken of a confidential conversation between any hon. members on either side of the House. There would probably be comment that would be unflattering to many of us. It would not have any malicious intent, but it would hurt if it was given the status of sworn evidence.

To have such confidential letters placed on record gives them weight that they were never intended to have, and a literal interpretation of them has conveyed a completely false impression. The Treasurer used the evidence of the letters, to a certain extent at any rate, when he made the charge that Mr. Creighton had made a deliberate attempt to besmirch the characters of a number of men. As those letters were designed to be completely confidential, there is no evidence that they were intended to besmirch the character of the men referred to. Their contents were never meant to come out into the open.

Mr. Williams and Mr. Bukowski, who entered into an agreement ostensibly for the public good to take certain information from Mr. Creighton and use it at their discretion, should have a feeling of great responsibility for what has happened to their comrade-in-arms, so to speak, Mr. Creighton. Under pressure they disclosed

what were undoubtedly meant to be completely confidential matters. The sufferer as the result is not any official of the A.W.U., but Mr. Creighton, and they should be prepared to rally round him. To their shame, they have not done so.

When I first came into Parliament three years ago, in one of the first debates in which I took part I said that this House had a responsibility somewhat similar to that undertaken by those who practise British law. I said it was an axiom of British law that not only should justice be done, but that justice should appear to be done. That apparently impressed many hon. members, because since then I suppose that axiom has been quoted half a dozen times and lip-service given to it. I still think that is our responsibility. That axiom is an expression of the concession that we make to our responsibility to uphold and inspire respect for the law in the mind of the outside public. Parliament, which makes the laws and administers them, has a responsibility to engender in the mind of the public respect for what it does. Our effectiveness, or lack of effectiveness, is in direct ratio to the public respect for us. In this matter of Mr. Creighton versus Mr. Foley, which is really what it is, neither of those conditions has been fulfilled. I do not think justice will be done or will appear to have been done. On the face of it, this is what the general public will say of this affair. Creighton suspected that something was wrong. He was sincere in his suspicion and he was convinced by the experience of his tentative approaches to those who might have taken up the matter that such attempts would not get him anywhere but would probably get him the sack. He believed he should take some action, but he could not make concrete charges such as would be a prerequisite to his getting any consideration at all from the Government. So he went outside and took the A.W.U. into his confidence on the understanding that they would use the information to bring about the desired change in policy. Eventually, outside the House charges were made which, apparently, constituted good enough reason for appointing a Royal Commission, and in the course of investigations Creighton's part was brought to light. The Commissioner made his report. The man suspected by Creighton right through, along with several members of his Government, was charged by the Commissioner with being guilty of corruption. Creighton was said to be unwise but not corrupt.

Mr. Moore: Not several members of his Government.

Mr. SPEAKER: The hon. member said that the Commissioner found the man Creighton suspected guilty along with several other members of his Government. That is not true, and that imputes some improper motive to members of the Government other than the ex-Secretary for Public Lands. I ask the hon. member to withdraw that statement.

Mr. FLETCHER: If that is how you understood me, Mr. Speaker, I withdraw it, because I did not mean that. It was merely the suspicion in Creighton's mind that the impropriety was not only on the part of the Minister but also on the part of certain of his colleagues. However, the Commissioner found that the then Secretary for Public Lands was guilty of corrupt conduct and Creighton was not. I am still speaking from the point of view of the public of Queensland. The findings have been published and they will know that we are going to sack Creighton. They know that Mr. Foley is still in the House. To the public that will not seem like justice. I am trying to make the point that we have a responsibility to the public to see that justice is done, and I do not think the public will believe that it is. In certain circles we will become a laughing stock and our standard of justice will be derided. Gilbert of Gilbert and Sullivan could have used the situation effectively to satirise the punishment of the innocent for presuming to charge the guilty. Dean Swift, the satirist, would have revelled in it. He never thought of anything worse than what we are going to do this morning, as the public will see it. Possibly the most serious thing is the effect on the public service. To all intents and purposes we have served a notice on the public service just as surely as if we nailed a printed document in every office that public service morality is no concern of the public servants. On the bottom of the notice might be included "Disregard of this instruction will mean summary dismissal."

Mr. Aikens: Keep your mouth shut or lose your job.

Mr. FLETCHER: That is what it amounts to. If it could be said that we set the standard in the business community we might find two business men in conversation down at the club—

Mr. Power: The Queensland Club.

Mr. FLETCHER: Any club you like. One business man might say, "What happened to that brilliant salesman you had?" and the other might reply, "He is no longer with us. He had the confounded impertinence to make inquiries and found the managing director had been falsifying records and therefore we had to sack him." If we set a standard for teachers the Department of Public Instruction might have the Director of Education regrettably reporting that that very brilliant young master we sent down to Ascot had the indecency to find that the headmaster there was selling information about the next scholarship examination at £5 a time. He would probably say, "Of course, we couldn't stand that sort of thing and we will not stand disloyalty in the service." Going to the ridiculous we might find a report in "The Courier-Mail" that James Smith who was charged with murder and due to be tried on Tuesday, the 7th, was hanged yesterday.

We are Mr. Creighton's judges. Because of his position we have the responsibility to judge and dismiss him if necessary. The proper investigation necessary for the action contemplated has not been made. There is no expert legal representation for the accused. We are asked to accept bald statements that he is guilty and we are given but fairly bald statements for the reasons of his guilt. Even if the Commissioner's report were entirely damning that would not be good enough evidence because the Commission was not appointed to inquire into Mr. Creighton's conduct particularly. The Commissioner made only passing reference to Mr. Creighton but he exonerated him to a certain extent.

The worst feature is that we have decided that the man is guilty before this judicial committee, this court, ever met. I support the remarks of the Leader of the Opposition and the hon. member for Coorparoo when they took strong exception to the pre-judging of Mr. Creighton. It was the responsibility of Parliament but the verdict was decided upon before Parliament met. Parliament as a judicial assembly should forget party affiliations. I have a supporter on the Government side in the person of the hon. the Treasurer who considered that we should be treating this on a non-party basis. I suggest the hon. gentleman overlooked the fact that he has already participated in a Party decision on the matter and prejudged the whole situation. It has been publicised in the papers.

Mr. Gair: Do you believe everything you read in the newspapers?

Mr. FLETCHER: I believe that anyway. We are in effect a court and we are judging the defendant. Presumably Caucus was indulging in the arrogant assumption of a power which, under the circumstances, was most improper. Let us consider Mr. Creighton's position briefly. He has been in the Public Service 33 years. The fact that he has worked up from the bottom to the top is an indication that he was considered a loyal, true and faithful servant. There can be only one reason for his changing—his suspicion that things were not right within his department. He had everything to lose and not a thing to gain by the action he took. He has already lost his position and it has cost him a lot of money for legal representation at the commission. I take the Treasurer's word for it that this judicial committee has only two alternate courses: either to sack Mr. Creighton or leave him where he is. In those circumstances I think we should leave him where he is as the lesser of two evils. If we sack him the community will feel that we have done a grave injustice. The whole idea of what we are doing cannot be divorced from the fact that the royal commission was held to inquire into allegations made by Mr. Creighton. In the eyes of the community a grave injustice will be perpetrated if he is sacked. I suggest the alternative of leaving him to retain his position is the lesser

evil. I think that we are breaching our responsibility as members of a responsible Parliament if we carry this motion. Our responsibilities were impressed on us by the Hon. the Premier as late as yesterday. I appeal to hon. members opposite, many of whom I am sure are feeling the same as I am. I feel that many members opposite feel as I do in their hearts, that they are not giving this man what, in Australia, is called a fair go. I think that the last words of Mr. Creighton on the matter are relevant and true. He said that it would not be a dishonour to him if we passed the motion, but a dishonour to this House. I believe that is a fact.

Mr. CHALK (Lockyer) (1.55 a.m.): At the commencement of his speech the Leader of the Opposition said he hoped this matter would be treated on a non-party basis and that every hon. member would cast his vote in accordance with his conscience. I have listened attentively to speakers on both sides of the Chamber in an effort to satisfy my conscience as to how I should vote. I believe that I have not to judge the whole of the findings of the royal commission and that all that is expected of me is that I should exercise my vote on the charge that has been made against Mr. Creighton, a charge involving actions by him during his term of office and allegations made during the royal commission hearing. It has been said from this side of the Chamber that there was some justification for the actions of Mr. Creighton. I want to explain the action I propose to take. I feel there was some justification for Mr. Creighton's actions, but, having read the report and having listened to the remarks of some Government members, which included extracts from letters that came before the royal commission, I feel in fairness to my conscience, that I cannot give Mr. Creighton the credit of having absolute justification for the steps he took.

Having arrived at that decision, I have to decide how I shall cast my vote on this motion. I have either to vote with the Government Members because of the way I feel, or leave the Chamber. Because I feel as I do, I propose not to exercise a vote. I have spoken so that my feelings will be recorded in "Hansard."

Finally, I want to give the reason why I cannot vote with the Government. I think that Mr. Creighton has been given a rather raw deal by the Government while they allow the hon. member for Belyando to remain a member of the Government. The position is that if I voted with members of the Government I would be voting with members who are associating themselves with and allowing the hon. member for Belyando to continue in the office he holds. I feel that action should have been taken against both these gentlemen at the one time because there is a finding in the Royal Commissioner's report of corruption so far as the hon. member for Belyando is concerned.

Mr. Walsh: That is fair enough, but having said that, tell us the steps we could take.

Mr. CHALK: It is not my purpose to try to develop the point mentioned by the Treasurer. The Premier has told us that we will be given an opportunity of debating the whole of the report at a later date, and I will take my place in that debate. My only purpose in rising tonight is to express myself in accordance with my conscience and to explain to those people interested the reason for the action I propose to take.

Hon. P. J. R. HILTON (Carnarvon—Secretary for Public Lands and Irrigation) (2.2 a.m.), in reply: It is about 14½ hours since this debate commenced, and naturally I do not propose to address the House at any great length in reply to the various points, if any, made by hon. members of the Opposition. When I moved the motion and initiated the discussion thereon, I did, I think, provide ample warrant for the moving of the motion but, having sensed the fact that hon. members opposite had not given full consideration to their responsibilities in this matter, I endeavoured to give them a cue during my speech before they foolishly committed themselves to their line of action. Talking about prejudging, we know full well that most of them committed themselves to their line of action at a party meeting held yesterday, and therefore, they have not had time to extricate themselves from the mess they were in when I gave them the cue. It is interesting to know that some hon. members opposite did take that cue from me, and have retired from the House and I do congratulate the hon. member who has just resumed his seat, to some extent, on the step he has taken. The significant thing that stands out in my mind in a very brief survey of this debate is that no one member of the Opposition was able in all sincerity to present one logical point that would in any way influence the Government to retract from this motion. As a matter of fact, the Leader of the Opposition, bereft of any logical argument after I had explained the case, endeavoured to twist some of my remarks, and in order to refute them I had to rise to a point of order and ask him to withdraw an accusation against me that I had endeavoured to besmirch hon. members of the Opposition. I explained at the time that that was far from my purpose. I endeavoured, in support of my remarks regarding the extraordinary mentality displayed, regrettably, by Mr. Creighton, that in addition to besmirching members of the Government he also deliberately, without justification, besmirched members of the Opposition, one in particular.

We heard the hon. member for Coorparoo engaging in many verbal niceties. Although he usually presents a logical case, on this occasion he was absolutely bereft of logic. He established certain things up to a point but he floundered badly when he tried to make capital of the fact that Mr. Creighton could not expect that any action would be

taken after his interviews with the Secretary for Labour and Industry and me. I tried to put the hon. member right on that by way of interjection. Hon. members can read in the exhibits before the Royal Commission the letter that I wrote to the Commissioner in response to an inquiry that I received from the Secretary of the Royal Commission. I do not propose to go over that ground, but when Mr. Creighton saw me he made astounding insinuations about the Lundavra leases in the Goondiwindi district, which is in my electorate. I told him then that the case he submitted to me in support of his allegation was preposterous and that I could not find it possible to believe what he said. If such a thing happened I would be in a very invidious position; I would either be kicked out of Parliament by my electors or I would have to resign. I make no bones about saying that. I want to emphasise how seriously I viewed his allegations, which I subsequently discovered were not warranted.

The Premier has dealt with the letter he received and with the inquiry that, by Cabinet direction, was put under way. Mr. Creighton knew of that, because he told me at the time that Mr. Bergin was conducting an inquiry, not only into the Lundavra leases but into many other properties throughout Queensland. The Premier has already explained why that inquiry was instituted. Mr. Creighton did not think the Cabinet should have instituted the inquiry, and in order to prevent any action that might be taken as a result of it, he engaged in a campaign of slander. He was not satisfied with the comments made to him by either the Secretary for Labour and Industry or me, and before the inquiry was half completed he proceeded further with his conspiracy and wrote the letters that are now on record. Among them was one that I have already read, wherein he besmirched my character by implying very strongly that I could be bought out of any objection by being appointed to the position of President of the Land Court.

When the House extended to Mr. Creighton the privilege of coming here and making any point that he may not have established previously, he uttered another untruth when he denied the correctness of my statement. He said he did not say or imply that I could be got out of the road by an appointment to the Land Court. His statement appears in a letter and it was proved before the Royal Commission that he made it, yet he repeated that deliberate untruth today.

Some hon. members have drawn an analogy between our deliberations today and court proceedings. The hon. member for Clayfield compared our proceedings to a court martial. In addition to telling another untruth about me and in addition to insulting the Premier and telling another untruth about him, which has been very ably refuted, he concluded by insulting Parliament. I put it to you, Mr. Speaker, that he uttered an insult which, if uttered before a court martial, would have put him in great difficulty and he knows it full well.

So enough of this ballyhoo and crocodile tears. I do not wish to detain the House at any great length. Because of the importance of the motion I regret that members of the Opposition, having decided upon a line of action, did not brief themselves as they should have done. We had the sorry admission from the Leader of the Opposition that he had not read all the relevant evidence or all the documents that would have enabled him to gain a full and correct appreciation of the matter. The same can be said of hon. members opposite all along the line.

The hon. member for Mundingburra even admitted that he did not know that there was any possibility of doing that. It is a sad commentary on his political knowledge and perspicacity that he could not even make inquiries and learn that those important documents would be available to him.

Mr. Aikens: We were given the Commissioner's report. Why weren't we told that the transcript was available? You talk about secrecy and clandestine methods. Why weren't we told about that?

Mr. HILTON: It is the first time I have heard the hon. member candidly admit that he is equivalent to a babe in the woods.

I repeat, as I said in all sincerity earlier, it is a painful and a stern duty. The motion has not been put forward in any vindictive way. I feel in all conscience that the action being taken is a correct one and the only action that we can take in the sorry circumstances. I think hon. members will agree that no point has been put forward that could influence the Government to withdraw the motion. Therefore I commend it to the House.

Question—That the motion (Mr. Hilton) be agreed to—put; and the House divided—

AYES, 43.

Mr. Baxter	Mr. Hilton
" Brosnan	" Jesson
" Brown	" Jones, A.
" Burrows	" Keyatta
" Byrne	" Lloyd
" Clark	" Marsden
" Collins	" McCathie
" Cooper	" Moore
" Davies	" Moores
" Devries	" Power
Dr. Dittmer	" Rasey
Mr. Dohring	" Robinson
" Donald	" Smith
" Dufficy	" Taylor, J. R.
" Duggan	" Turner
" English	" Wallace
" Forde	" Walsh
" Gair	" Wood
" Gardner, H. R.	
" Gardner, R. J.	
" Graham	<i>Tellers:</i>
" Gunn	" Kehoe
" Hadley	" Skinner

NOES, 18.

Mr. Aikens	Mr. Munro
" Coburn	" Nicholson
" Dewar	" Nicklin
" Evans	Dr. Noble
" Heading	Mr. Pizzey
" Herbert	" Taylor, H. B.
" Hiley	
" Jones, V. E.	<i>Tellers:</i>
" Low	" Bjelke-Petersen
" Müller	" Fletcher

Resolved in the affirmative.

The House adjourned at 2.22 a.m.