

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 27 AUGUST 1975

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Now I will outline briefly a reply on one issue which Alderman Walsh has raised and which was printed in this morning's "Courier-Mail", referring to the cancellation of the supply of coking coal from Central Queensland.

A conference was held in the Coal Board's office on Monday, 18 November 1974, with representatives of the Southern Electric Authority in connection with the supply of coking coal from the Central Queensland mines to the Swanbank Power Station.

It was requested by the power authority that, in view of the stock position at Swanbank and the improved production from the collieries in the Ipswich field, consideration be given to the termination of the supply of coal from the Central Queensland coalfield provided, however, that, should anything happen in the Ipswich field to affect its production, further supplies could be resumed in the shortest possible time.

At this time coal stocks at Swanbank had reached 7.6 weeks, 13 weeks at Tennyson Power Station and 27.1 weeks at Bulimba, or an average over-all of all stations of 8.4 weeks.

It was then considered that owing to the increased production, which was in excess of burn, from the Ipswich coalfield, this would increase the stocks over the last five weeks before the Christmas closedown. A recommendation was made for my consideration and approval on 19 November 1974, and supplies were cancelled as from the 20 November 1974. Letters were sent from the Coal Board, signed by the chairman, to the supplying companies on 22 November 1974, confirming the cancellation and thanking them for their assistance. The supply of this coal was not covered by any contract, but the Government has the power, under the conditions of its special coal-mining leases, to direct the companies to supply coal for internal use when required.

Before the commencement of supplies from Central Queensland, prices were fixed plus escalation. The price of coal had no bearing on the availability of rolling-stock for transport of coal. These arrangements were made by the Railway Department to transport the coal required at that time.

For the last few months of 1974, the mines on the Ipswich field had improved production. If it had been maintained after the commencement of 1975, the stocks held by the generating authority would have been greater at this time. Production from West Moreton had increased to 51,000 tons per week, which was in excess of the burn.

All underground mines in the Ipswich field work three shifts, and, when time is available on the third shift, coal is produced; but this can only follow after completion of maintenance on mining equipment, after extensions of conveyor belts and movement of transformers, and after extra roof supporting which may be required following the second production shift.

WEDNESDAY, 27 AUGUST 1975

Mr. SPEAKER (Hon. J. E. H. Houghton, Redcliffe) read prayers and took the chair at 11 a.m.

MINISTERIAL STATEMENT

LORD MAYOR'S ALLEGATIONS ON POWER CRISIS

Hon. R. E. CAMM (Whitsunday)—Minister for Mines and Energy (11.2 a.m.): In view of the statements made by the Lord Mayor of Brisbane, Alderman Walsh, that he has documents in his possession which would indicate that the responsibility for the necessity for electricity rationing rests solely with the Government, I would like to say that, now that the documents are in the hands of a man of the calibre of Alderman Walsh, these documents can no longer be considered confidential.

I have no faith whatsoever in the integrity of this man and so I challenge him to produce these documents, which I will lay on the table of the House for perusal by members, because I am quite confident that this Government and the various departments have done everything in their power to maintain a supply of coal to the West Moreton power station.

One would think that Alderman Walsh would be more concerned with the possibility of massive unemployment being caused in South-east Queensland through the necessity for electricity rationing. Rather he chooses to protect the Communist bosses of the Miners' Union, who are dictating the policy which has created this coal shortage.

Open-cut operations are restricted to daylight hours in most cases, and are not allowed 24 hours a day owing to rapid urban development in the Ipswich field.

The only overtime worked, apart from breakdowns, maintenance on machinery, or work required where there are bad roof conditions or major falls, is one hour per day on each shift for travelling time in and out of the mine, which allows reasonable working time at the coal face.

It must be realised that coal that was being supplied from Central Queensland was coking coal. However, the Government has made provision for the steaming coal overlaying the coking coal in the Blackwater mine to be made available at a very low price for electricity generation.

Loading facilities were being established at Blackwater to load this coal for the Gladstone Power Station. On the completion of these facilities in May 1975, a decision was made to bring this steaming coal to South-east Queensland to augment the already falling supply of coal in our stockpile. We endeavoured to bring 10,000 tons per week but, due to many causes, this figure was not attained, and an attempt to bring 20,000 tons per week was made.

During the second week in June, the miners placed an overtime ban on all coalfields in Australia. This meant a drastic reduction in the output from the West Moreton field. Following this, the miners indulged in sporadic strike action, the result being 13 full days' strike. The resultant production loss through strike action and the overtime ban would have been in excess of 250,000 tons. The delivery of this tonnage would have obviated the necessity for any rationing whatsoever.

Despite assurances by leaders of the coalminers that they would guarantee a delivery of 63,000 tons per week, this tonnage has not been forthcoming, and the recent decision to stop loading coal at Blackwater, with the continuation of the overtime ban, has created a situation where further rationing will have to be introduced.

I will be making a statement this afternoon in which the conditions of rationing will be outlined.

PAPER

The following paper was laid on the table:—

Regulations under the Main Roads Act 1920-1972.

QUESTIONS UPON NOTICE

1. GREAT BARRIER REEF MARINE PARKS

Mr. Casey, pursuant to notice, asked the Minister for Lands, Forestry, National Parks and Wildlife Service—

(1) Is he aware of recent Press reports wherein experienced professional fishermen have claimed that sections of the Great Barrier Reef are being fished out?

(2) Is he also aware that the Commonwealth Government is in the process of setting up a Great Barrier Reef Marine Park Authority?

(3) How many marine parks have been established on the Great Barrier Reef or in adjacent waters under Queensland legislation, what is their area, when were they established and what are their locations?

(4) What protection has been given to the professional fishing industry in the marine park areas?

(5) Have any provisions been made under the Commonwealth legislation for the protection of the professional fishing industry?

(6) Is there any provision for Queensland representation on the National Great Barrier Reef Marine Park Authority?

Answers:—

(1) I am advised by my colleague the Minister for Aboriginal and Islanders Advancement and Fisheries that an additional scientist is to be based in the north in the near future to augment present research on reef ecology. The effect of fishing activities will form part of such studies.

(2) Yes.

(3) Two Marine National Parks were declared under Queensland legislation on the Great Barrier Reef on 16 February 1974. (i) The Heron-Wistari Reefs Marine National Park, situated some 80 kilometres north-east of Gladstone encloses both the Heron Island coral reef and the adjoining Wistari Reef and embraces an area of approximately 9,700 hectares. (ii) The Green Island Marine National Park, 27 kilometres north-east of Cairns, encloses the coral reef surrounding Green Island and covers an area of approximately 3,000 hectares.

(4) Under Queensland legislation there is no restriction on fishing activities in a marine park area. However, in a marine national park certain fishing activities can be carried on subject to permit.

(5) No. The intent of the Commonwealth legislation is to regulate the use of marine parks. Protection of commercial fishing within the parks could be secured by regulation if that was the policy of the Federal Government.

(6) Yes.

2. INVESTIGATIONS INTO POLICE FORCE

Mr. Melloy, pursuant to notice, asked the Minister for Police—

(1) How many investigations are at present being held into allegations concerning the Police Force?

(2) How many officers are involved in the conduct of these investigations and how many are under investigation?

(3) Are any officers currently under suspension and, if so, how many?

Answers:—

(1 and 2) The information sought is not available to me. Numerous complaints, many of them of a minor nature, no doubt have been lodged with the local Officers in Charge of Police or with District Inspectors and details would not be available at the Office of the Commissioner of Police. In terms of the Police Act, the District Officer has authority to deal with offences of misconduct of a minor nature and in such cases would not necessarily forward details to the Commissioner of Police. In other cases, the Commissioner of Police may not be advised until the District Inspector has caused preliminary investigations to be made into the allegations and forwarded the relevant files to the Commissioner with his recommendations as to the action to be taken.

(3) Yes, three.

3. COAL FOR ELECTRICITY GENERATION

Mr. Melloy, pursuant to notice, asked the Minister for Mines and Energy—

(1) What is the current cost of West Moreton coal delivered to Tennyson?

(2) What is the current cost of overburden coal delivered to Swanbank?

(3) What percentage of the cost represents transport charges?

Answers:—

(1) \$15.75 per tonne.

(2 and 3) The coal from Blackwater is being sold to The Southern Electric Authority of Queensland at Swanbank at an all inclusive base price of \$16.62 per tonne which has been equated to the cost of Ipswich coal at Swanbank after adjustment of different heat values.

4. ALLOCATIONS TO TERMINATING BUILDING SOCIETIES

Mr. Lamond, pursuant to notice, asked the Minister for Works and Housing—

(1) Has it been necessary to reduce the allocations which terminating housing societies had been expecting from housing agreement funds in 1975-76 and, if so, for what reason?

(2) What are the basic minimum and maximum percentage allocations which

may be made in a financial year to the societies from allocations to the State under the current housing agreement?

(3) What percentage allocation to societies was made in 1974-75 and what percentage of the current allocation of \$31,010,000 will be released to them?

Answers:—

(1) Yes. Terminating housing societies have consistently sought early advice each year of the volume of Housing Agreement funds which will become available to them. This is necessary if they are to go through the legal procedures for the formation of societies and for their members to arrange contracts for building or purchase of houses in time to ensure that the funds will be substantially expended during the financial year. This year the societies were advised of allocations of new Housing Agreement money totalling \$12,000,000. This was a reasonable estimate. The State had requested \$24,000,000 from the Commonwealth on behalf of societies. An absolute minimum allocation could have been expected to have been \$15,587,500, being the 1974-75 figure of \$12,470,000 plus a 25 per cent inflation factor. Even this would not have increased the number of houses over the 1974-75 figure. However, the Commonwealth Budget provides only \$31,010,000 to cover total Housing Agreement requirements of the Queensland Housing Commission and societies. This compares with \$43,810,000 in 1974-75. It became necessary to reduce the \$12,000,000 society allocation.

(2) The 1973-74 Agreement provides that terminating housing societies shall receive a basic allocation not less than 20 per cent and not more than 30 per cent of the allocation to the State.

(3) In 1974-75 the societies received 28.5 per cent of the total allocation. The Commonwealth Minister for Housing and Construction has sought my views on an appropriate distribution for 1975-76. Following consultation with the Honourable the Treasurer I have advised that the State desires to maintain the 28.5 per cent which applied in 1974-75. In other words, the State has not cut back the allocation at all but the Commonwealth did. The continually growing waiting list for Housing Commission houses and the reduced Commonwealth allocation of Agreement finance have created a more than usually difficult situation this year. This is at a time when labour and materials are readily available. The actual amounts that societies and the Commission will receive are inadequate for their responsibilities. It will be seen that an impartial and fair distribution is being made between the housing interests within my administration. As a note of interest, I fail to see the upturn in the private building sector, as stated by Mr. Hayden in the Federal Budget.

5. CAPITAL GRANTS TO QUEENSLAND SCHOOLS

Mr. Yewdale asked the Minister for Education—

With regard to capital grants from the Commonwealth Government to Queensland schools, what amounts of money have been allocated for expenditure in the general, disadvantaged, special and library categories and, of these amounts, what money was expended at which schools and what is the location of each school?

(Originally asked on 20 August 1975)

Answer:—

On Wednesday, 20 August, the honourable member for Rockhampton North asked me a question about Commonwealth capital grants to Queensland schools. At that time, I informed him that I would provide the information when it had been collated. I now table the information requested.

Whereupon the honourable gentleman laid the information on the table.

QUESTIONS WITHOUT NOTICE

RECOGNITION OF ATHLETIC ACHIEVEMENTS OF MEMBER FOR MURRUMBA

Mr. AHERN: I ask the Deputy Premier and Treasurer: Is he aware that the honourable member for Murrumba has today returned triumphant from the Veteran Athletic Championships in Toronto, Canada, where he won a silver medal in the 16 lb. hammer throw and a bronze medal in the javelin throw? Will he consider appropriate recognition by the State of Queensland.

Sir GORDON CHALK: I learnt of the triumph of the honourable member. I will speak to the Premier about it when he returns from opening a conference in Toowoomba. Perhaps we might even be able to arrange a civic reception for the honourable member.

LORD MAYOR'S ALLEGATIONS ON POWER CRISIS

Mr. DOUMANY: I ask the Minister for Industrial Development, Labour Relations and Consumer Affairs: Is he aware that last night on television the Lord Mayor quoted him as blaming the Prime Minister for the present crisis in the coal industry? Is he aware that the Lord Mayor alleged that the State Government had no-one else to blame and consequently sought to make the Prime Minister the scapegoat? Could the Minister outline to the House the reasons why the Government made representations to the Prime Minister with a view to settling the dispute as soon as possible?

Mr. CAMPBELL: I was not in a position last night to observe on television the posturings of this sawdust Caesar, but I understand that I was the latest victim in his criticism of the Government on the coal

crisis. Apparently the Lord Mayor does not understand, or is incapable of understanding, that this dispute involves national unions coming within the Federal jurisdiction and has nothing to do with the jurisdiction of the State's Industrial Conciliation and Arbitration Commission.

Mr. Frawley: He's never sober. How would he?

An Opposition Member: You should be the last one to talk.

Mr. SPEAKER: Order! I ask all honourable members to refrain from persistent interjections while Ministers are on their feet. I will not tolerate it and I will deal with any member who continues.

Mr. CAMPBELL: Consequently, it is obvious that any representations by the State Government for action on behalf of the hundreds of thousands of Queenslanders who are affected must be directed to the Federal Government. What the Lord Mayor should be doing is taking the Federal Government to task for its complete inaction. The Lord Mayor has blamed the State Government and the coal owners for not supplying an adequate quantity of coal. The only ones he has not criticised are the mining unions and the appropriate Federal Ministers who should be taking urgent action.

The Lord Mayor might be unaware that since 30 June two telegrams have been sent to the Prime Minister by the Premier, two by me to the Federal Labor Minister (Senator James McClelland) and one to the former Federal Labor Minister (Mr. Cameron) in an endeavour to get some action from that sphere. Absolutely no evidence has been received of any action, even though Senator McClelland said in one answer that he intended to communicate with employee organisations to express his concern and to suggest that industrial action cease to give the Coal Industry Tribunal the opportunity of resolving their dispute by appropriate processes. Senator McClelland also stated—

Mr. Jones: It was a question without notice, wasn't it?

Mr. CAMPBELL: It is quite obvious that the honourable member for Cairns has no concern for the victims.

Mr. SPEAKER: Order! I will not tolerate persistent interjections from either side of the House. If the honourable member continues to commit that breach, I will deal with him under Standing Order 123A.

Mr. CAMPBELL: Senator McClelland also indicated that, if it were decided to continue industrial action, he would advocate that consideration should be given to exempting essential services such as power supplies. The Lord Mayor seems to be more keen to apologise for the actions of

miners than he is to use whatever influence he might possess to have the necessary quantity of coal delivered to Swanbank.

My officers and I have been in close consultation with the executive of the Trades and Labor Council. I appreciate its problem and what it is endeavouring to do in this industrial disputation.

I shall be meeting with Senator McClelland on Friday at the meeting of Ministers for Labour. Naturally I will endeavour to have him pursue this matter in the way in which he promised me he would some six weeks ago.

WILSON YOUTH HOSPITAL

Mr. LOWES: I ask the Minister for Community and Welfare Services and Minister for Sport: Is he aware of a pamphlet issued by the religious Society of Friends (the Quakers) relating to the Wilson Youth Hospital at Windsor? Is there any truth in the allegations that—

1. No provision exists to ensure that children are informed of their legal rights;
2. There are no trained teachers on the staff;
3. There are cases of boys being physically mistreated;
4. All girls are subjected to gynaecological examination?

Mr. HERBERT: I have seen the pamphlet, which I understand emanated from a commune in Auchenflower. I have also seen a few of the remarkable programmes that have appeared on some of the lesser television channels concerning this institution. In a number of cases the junior interviewers made very serious mistakes, and of course in this instance the attack was not directed at the Government, or the way in which the legislation and regulations that control the institution are framed. It was a direct personal attack on the people who work there. Those public servants have the right, which they are now exercising, of redress against the people who have quite obviously defamed them. There have been accusations that the doctors turn children into zombies by the over-use of drugs and that the attendants have broken the arms of children. But the remarkable thing about all the accusations is that they are framed in general terms.

I have said over and over again that, immediately I am provided with evidence of any sort of disobedience of the rules by any of the members of the staff, I will investigate it and have appropriate action taken but I just will not receive accusations against public servants in general terms, as all these accusations have been, and I hope that good sense will eventually prevail in the media.

Only a couple of months ago I took representatives of the TV stations and the media out to the Wilson Youth Hospital.

They were able to ask any questions they liked and take any film they liked, which they did. The interviewer from the programme "This Day Tonight" went out there with me and took film. On a later programme of "This Day Tonight" the accusations against the Wilson Youth Hospital were repeated and the interviewer said he had been unable to get into this institution. That was a deliberate lie because that station has in its own archives film of the Wilson Youth Hospital.

The operation of this institution is very difficult. The Wilson Youth Hospital is known to every member of this House. It handles very disturbed children, most of whom have extensive police records before they arrive there. And because they are problem children the staff there are often at risk. There is overcrowding. We do not deny that we have had a tremendous increase in the number of children handled there and that, too, creates difficulties for the staff, but I am prepared to say that the staff are doing a remarkably good job in the circumstances. I first took over the administration of this institution back in 1965 so I can now claim to have quite a deal of knowledge of it.

From my own observations I am prepared to say that in performing their tasks the staff out there go over and beyond the call of duty. Anyone who meets the matron of the Wilson Youth Hospital and sees her carrying out her duties and who then comes away and makes an accusation against her would be lacking completely in understanding because that woman does a job that is far above the average. The way those disturbed children react to her is a tremendous tribute to her.

I might mention that the Archbishop of Brisbane, Archbishop Arnott, went through the place with me and at the end of our visit he said the conditions there were better than those in any of the boarding schools which came under his jurisdiction. I do not think anybody is going to accuse Archbishop Arnott of making observations like that with no basis for them. Anyone who goes out there and sees the way the youngsters react with affection to the staff, who have the difficult job of looking after them, would realise that there must be some sort of ulterior motive, which I cannot appreciate, for the recent attacks that have been made by what appear to me to be a very small group of rat-bags.

ALLEGED RECORDING OF MINISTERIAL TELEPHONE CONVERSATIONS

Mr. K. J. HOOPER: I ask the Minister for Community and Welfare Services and Minister for Sport: Could he give an undertaking to the House that he does not tape-record telephone conversations when persons phone him? Does he deny the claim by the television programme "This Day Tonight" that he did tape-record a telephone conversation with a member of its staff?

Mr. HERBERT: This is another indication of the sort of people who are in control of the media today. I have more to do with my time than to make a tape-recording of a conversation with a junior reporter who rings me up. Of all the stupid accusations, that just about takes the bun. In any case, I would not know how to work a tape-recording machine if I had one. If I did, I certainly would not be wasting time on juniors who apparently imagine that they are important enough to be tape-recorded. I have never used a tape recorder in my life, and I would not use one on the telephone if I did have one. There is certainly none in my office, and the accusation is completely without foundation.

What the A.B.C. was worried about in this particular instance was that the Royal Commission on Human Relations had had before it a couple of the rat-bags to whom I referred when answering a question a short while ago who made many accusations about Wilson Youth Hospital. Members of the royal commission asked them a couple of questions and said, "This stuff is hearsay; it is rubbish. We will not receive it." They then turned to the Press and said, "You cannot report this because we do not accept it." The A.B.C. then took that witness outside, recorded the full accusation all over again and played it over the air that night. Of course, in my view that was contempt of the royal commission. The A.B.C. then rang me and asked me to answer the accusations, and I said, "Well, you might want to commit contempt of the commission, but I have no intention of doing so." So they said on their programme that I refused to appear before them; they did not say that I was prohibited from appearing before them. But the whole transcript of that particular "This Day Tonight" programme was sent to the royal commission in Sydney, and it is now its job to work out whether or not it will take action for contempt.

That is where the matter sprang from. Probably the junior reporters who have been given control of that programme have made a mistake and they are frantically trying to cover up with all sorts of accusations. That is the real story on the matter, and that is the reason why, as long as I sit in ministerial office in this House, I will not appear on a "This Day Tonight" programme under its present direction.

SUBSIDY FOR PENSIONERS' FARES ON PRIVATE BUS LINES

Mr. LAMOND: I ask the Minister for Transport: Is he familiar with my earlier submission to him about giving consideration to having the Government subsidise pensioners' fares on private bus lines? If so, what consideration has been given to the adoption of this proposal?

Mr. K. W. HOOPER: I am indeed familiar with the honourable member's submission. I advise him that this is very much a budgetary matter. He will have to wait for the remainder of the answer until the Treasurer introduces the Budget.

NEW FARM LIBRARY VALIDATION BILL

INITIATION

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to validate the erection of a building in New Farm Park in the City of Brisbane and the use of the building and part of the park for library purposes."

Motion agreed to.

ABORIGINES ACT AND OTHER ACTS AMENDMENT BILL

THIRD READING

Bill, on motion of Mr. Wharton, read a third time.

MATTERS OF PUBLIC INTEREST

WATER SUPPLIES, TOOWOOMBA AND ADJOINING LOCAL AUTHORITY AREAS

Mr. WARNER (Toowoomba South) (12.10 p.m.): I rise to speak on a matter which I believe is of great public interest and which is of concern to me. Toowoomba and adjoining shires in South-east Queensland view with great apprehension the water crisis that is slowly but surely developing in that area. Growers are using water faster than nature can replace it.

For the city of Toowoomba, the real crisis will come within the next 25 years when the population increases to 100,000 people or so. Already Toowoomba is nearing the limit of the capacity of its three sources of supply, namely, dams on Cooby Creek and Perseverance Creek and a series of bores in the city area.

Great concern is being expressed by neighbouring local authorities about the contention or assumption that Toowoomba would need 30 per cent of available water resources from all areas by that time, even if an envisaged forced-supply dam on Cressbrook Creek is built. Cressbrook Dam is long overdue and is now, hopefully, to be commissioned in 1983 whereas it should have been commissioned for use in 1978 if water restrictions of the kind now being imposed were to be avoided.

Fears are also expressed that users of water in the Upper Condamine Basin are using in excess of the rate of water replenishment.

It is estimated that the annual use in that area exceeds supplies by 68,000 acre-feet. The town of Dalby, which draws its water supplies from the Condamine Basin, has an annual deficiency of 15,000,000 gallons. This deficiency is taken up now by water from underground bores. But if a drought were to occur in the watershed of the Condamine River, as no doubt it will, a very serious situation would then exist.

It is patently obvious that to ensure the growth and stability of Toowoomba and surrounding country towns, the supply of water must be adequate for the needs of the community. Demands are already outstripping supply. Toowoomba is having to restrict use by the installation of water meters. The water resources of the region from deep-water-dam sites are limited.

It is time we realised that an urgent priority, where money must not be the limiting factor, lies in projects such as the building and implementation of the Cressbrook Creek scheme. The scheme will cost approximately \$15,000,000 on today's planning and estimates. The costs will escalate by many more millions unless its construction is approved in the immediate future. Subterranean bores supply 20 per cent of Toowoomba's water consumption at a cost of approximately 10c per 1,000 gallons in contrast with a cost of approximately 30c per 1,000 gallons for dam-storage water.

Various views have been forthcoming on the way this supply is replenished. Unfortunately, in many instances they are purely speculative and hypothetical. The conclusions proffered by Mr. Armstrong, a geologist at the Darling Downs Institute of Advanced Education who was commissioned by the council to make a report on the recharge area, are seemingly indisputable, having been verified and substantiated by the Irrigation and Water Supply Commission. His report indicated that development on the major recharge area could lead to a serious reduction in the volume of water reaching the underground storage system.

If the whole scheme is to be looked at in a rational manner, the factor that is paramount to Toowoomba's growth and development must hinge on water, which must be made available in adequate quantities from every available source, whether by conservation in dams or from subterranean sources. The best way to replenish underground water is to replace it consistently with rainfall that falls over the red soils of the recharge areas. To view the situation critically, with long-term objectives in mind, it would seem that the best solution to serving the future water needs of the city is to discourage for at least a decade or so any project in the areas of recharge that may have a detrimental effect on the water supply and concentrate the growth of the city in other areas until other adequate supplies of water are established.

The Toowoomba City Council has the great responsibility of dealing with these two matters, which I believe go hand in hand. Development is dependent upon water, and, although there seems to be some inconsistency in general attitudes to this matter, the over-all situation, in which water is of such vital importance, is no doubt uppermost in the council's planning.

The first stage of the Leslie Dam, which cost \$4,600,000 to build and now holds approximately 85,000 acre-feet of water, must now be completed by the addition of the second stage. The cost of the second stage is estimated at \$4,360,000 and, related to the mere 2,500 acre-feet that it will add to the supply and to the over-all capacity of the dam, it seems an enormous sum. Surely this indicates the short-sightedness of a policy of completing the second stage subsequently when it could have been completed in the first place at relatively small cost.

In conjunction with the supply of water from Leslie Dam, the possible alternative for future development will no doubt lie in flow-regulated weirs, and better utilisation of unregulated flows and releases from the Leslie Dam of water to be stored in wells at various points on the Condamine River. These are currently included in the State's works programme for the next five years.

Works to divert flow from the Condamine River to the north branch are also necessary in order to regulate flows to present users of ground water. The cost of these works to date would be in the vicinity of \$800,000. Investigations have shown that a lowering of the watertable at the now known rate of at least 2 ft a year makes imperative a replenishment scheme for the artificial recharge of ground water. The operating costs could be high, but the continuous plundering of water at the rate at which it is now being used will lead to a complete failure of supply with disastrous results to all who need water.

The unfortunate omission from the Federal Government's Budget of provision for the second stage of the Leslie Dam is catastrophic. Every acre-foot of surface water that can be stored in dams will mean an additional acre-foot left in ground-water storage for use in drought periods. I therefore believe that the scheme for the second stage of the Leslie Dam is vital to the future of the whole area, as this dam is a safeguard of storage water for the whole of the Condamine basin.

The establishment of a committee of representatives concerned with the future rationalisation of the areas available and future water supplies, as suggested by the Minister for Local Government, is, in my opinion, a step in the right direction. It seems indisputable that such a committee will have to control the region's water supplies in the near future. It is imperative

to look ahead if we are to use our most precious commodity in the best possible way. All local authorities must immediately take great care in the future planning of urban and rural areas, and must look into water problems. A situation of great concern will arise if this is not done.

INQUIRY INTO QUEENSLAND POLICE FORCE

Mr. MELLOY (Nudgee) (12.19 p.m.): Today I wish to raise a matter of very great concern which is causing confusion in the minds of the public. It relates to the Queensland Police Force. The Opposition believes that the Government's promised judicial inquiry into the Queensland Police Force should start now. There is no logical reason why it should be deferred to an indefinite time in the future to be determined at the Government's convenience. We believe also that the terms of reference of the inquiry should be broadened to include police administration rather than be confined to allegations made against individual police officers.

Cabinet, which on occasions can assemble with expediency, should meet this week to appoint a Queensland Supreme Court judge with staff to conduct this open inquiry that the Government itself admits is necessary.

On this issue I accuse the Government of perpetrating a gigantic hoax, a monstrous cover-up and a calculated whitewash. We have a police union which demands the dismissal of the Police Minister, and a Criminal Investigation Branch which declares it is appalled at the actions of the Police Commissioner, yet in a Press statement the Premier claims it is the best Police Force in Australia. We go along with that but we realise also that there are imperfections within the Police Force; yet the Premier says that no inquiry into its administration is necessary.

Leading lawyers, leading clergymen and the police union want an open judicial inquiry and I believe they want it now, not in some two months' time after various intra-police-force investigations have been held. Policemen are discontented with an administration which apparently satisfies the Government.

The Police Minister is a portrait of contradiction. If he displayed in a court of law the inconsistency that he reveals in the administration of his portfolio inside and outside this Chamber, he would be declared a hostile witness. He is, in his present embarrassment, flushed with his own failure. The Police Force does not desire to be known as "Hodges' Heroes". It insists that the name "Hodges" should be erased, if necessary through sacking, from the administration of the department.

There are allegations of graft and corruption, tow-truck bribes, false warrants, fabricated evidence, brutality and massage-parlour assignations. The charges are levelled by Supreme Court judges, magistrates, policemen against fellow policemen,

barristers, defendants and prostitutes. Apparently all these sections of the community are at one in their attitude to the Police Force and to the Government.

The Police Minister's answer is an imported investigation by two officers from Scotland Yard's crack graft squad—an investigation which, we were informed on Monday, will be limited to the Southport S.P. cases, already subject to Government legal appeal to the Full Court of the State Supreme Court. This morning these investigators themselves said that they had received telephone calls that related to matters other than the Southport inquiry. Restricting their investigation into the Southport case and related matters defeats the purpose of the fuller inquiry that we want into the Police Force and we will get nowhere with it.

We are told by the Government also of various departmental inquiries by unnamed policemen into allegations against policemen. Again, these are undesirable because they are restricted in their terms of reference and are not likely to produce anything of any significance about the Police Force in general. I am anxious, and so is the public, to know what is occurring behind closed doors that is "too tender" or "too sensitive" for the ears of a Queensland Supreme Court judge in an open judicial inquiry.

I make no reflection on the character or ability of the two Scotland Yard investigators. They are the innocent captives of an inquiry they knew nothing about in London until the Police Minister announced prematurely in Brisbane that they were on standby to fly to our shores. But I do say that their inquiry is now so closely confined as to be obviously pointless and that they are being used as a ruse, as dupes, to rescue an inefficient Minister and an out-of-touch Government from their inadequacies. The Police Minister might just as well have invited the Royal Canadian Mounted Police, the F.B.I. or a United Nations task force to the State to conduct the present investigations.

Several weeks ago the Premier invited Queenslanders to register their allegations against the Police Force with the Full Supreme Court during the appeal on the Southport S.P. case. Blind Freddie could have told the Government that such evidence would not be admissible, that evidence in that appeal would be restricted to that of the persons involved in the Southport case. An invitation to the people of this State to send in their allegations would be completely out of court in that appeal.

Now we have the Police Minister, in his tarnished splendour, announcing a telephone number for his Scotland Yard duo and at the same time restricting their terms of investigation to areas already under legal appeal. This raises other very interesting considerations.

The two men from the Yard must imagine that they have tumbled into cow-cocky corner. They must believe—with justification—when they talk with the Police Minister that Ned Kelly was before his time. These two gentlemen stated on Monday that they had never been involved in a graft investigation of this magnitude. I quite believe them and I have no doubt that their relative inexperience in uncovering widespread police corruption also extends to the Police Minister.

The Minister upon his return from overseas said that no inquiry was necessary. The same evening he thought one possible. Then came a permanent commission within the force to probe graft and corruption. Later the legal appeal on the Southport case evolved, and now we have Scotland Yard in Herschel Street.

Mr. Hodges: What are you afraid of?

Mr. MELLOY: We are not afraid of anything, but certain people in the House are.

On television, the same Minister promised to release the transcript of a tape-recording between himself and the executive of the Police Union to justify his Scotland Yard inquiry. On the following day he admitted that neither the tape-recording nor the transcript existed.

Mr. HODGES: I rise to a point of order. I did not deny that I had a transcript of the evidence of the meeting. I have a transcript, and I will table it in the House if the honourable member wants it.

Mr. DEPUTY SPEAKER (Mr. W. D. Hewitt): Order! I ask the honourable member for Nudgee to accept the Minister's assurance.

Mr. MELLOY: I accept his assurance. The Police Union, as a result, no longer feels safe to enter his ministerial office, and I cannot blame its officers.

I repeat what I said at the outset. The promised judicial inquiry should start now, not in two months' time. There is no good reason why it should be deferred for two months or more, only to allow Queenslanders to forget a little and a Queensland Cabinet Minister to escape immediate embarrassment.

I repeat that a full inquiry under a Queensland Supreme Court judge should be expanded to include the police administration. No-one wants a witch-hunt. What the Opposition seeks is a sweeping inquiry into a system that has been found lacking, a sweeping inquiry that will expose the guilty and clear the names of the innocent, a sweeping inquiry that will lead to remedies to problems in the force.

Mr. Hodges: Will you answer one question? If you suspect somebody of murder, do you go out and arrest him, or do you investigate the crime?

Mr. MELLOY: That is not comparable.

Mr. Hodges: Of course it is!

Mr. MELLOY: The Minister has had evidence every day of something being wrong, and it is time he investigated it. Judges, magistrates, barristers, average citizens and serving policemen recognise the problem and want it rectified.

Before concluding my remarks, I wish to quote the words of the Secretary of the Queensland Police Union, Mr. Callaghan, in this morning's Press. He said that police morale was never lower. What a tragic situation that is! He added that the union was determined to see that the small men in the Police Force are not disadvantaged and made scapegoats for the maladministration.

(Time expired.)

NON-PAYMENT OF SUPERANNUATION TO J. M. O'BRIEN

Mr. MILLER (Ithaca) (12.29 p.m.): I enter this debate to appeal to the highest court in the State—the Parliament of Queensland—for justice. The case I bring before honourable members this morning is one of non-payment of superannuation by the Government to an employee of the Main Roads Department, and I point out that this case has been before the Ombudsman and has been rejected by him. I make it quite clear that this is not a personal attack on the Ombudsman, Mr. David Longland. I have the greatest respect for him and I hope that I will always be a friend of his. But I do query whether any person can make a decision as Chairman of the Public Service Board and then as the State's Ombudsman sit in judgment on that decision. That is what the Ombudsman has had to do in this instance. At the time of Mr. Longland's appointment as Ombudsman, I mentioned that within a very short time he would probably have to make a decision on a previous decision made by him as Chairman of the Public Service Board.

In the third paragraph of a letter to the person concerned, Mr. Longland said—

"I have closely examined the legislation that is relevant to your case and I find that the Board has correctly applied the law as it now stands."

That is where I differ from the Ombudsman. We did not ask him to consider the situation as the law now stands. I believe that Mr. O'Brien made application to join the superannuation scheme at a much earlier date than February 1973. The information I have, which is substantiated by the Public Service Board, is that Mr. O'Brien first applied in August 1972, but on that occasion he was rejected. However, he was told by a member of the Public Service Board that he could apply again within six months.

In December 1972 he again went to see that officer because he had heard rumours that the Public Service Superannuation Act was being changed by this Government. That same officer informed him that he could apply again in February 1973. As you know, Mr. Deputy Speaker, we amended the Public Service Superannuation Act in December 1972, and the amended legislation came into force in January 1973.

I point out that the Government has the responsibility of informing employees of any changes that take place. On this occasion the employees of the Main Roads Department were informed, but it was not until February 1973 that a notice was put on the notice board in the Main Roads Department. What is the use of putting a notice on the notice board in February, calling the attention of the employees to a change in the Public Service Superannuation Act which came into force in January?

Mr. O'Brien went to a lot of trouble. He wished to join the superannuation scheme but had left his application until late in life because of financial difficulties earlier in his career. He rose to a very high office in the Main Roads Department. Again I refer to a statement by the Ombudsman in his letter to Mr. O'Brien. He said—

"Under the provisions of the Public Service Superannuation Act 1958-1969 by paying a single premium of \$26,213.70 you were entitled to receive \$58,823.00. Having regard to the number of contributors who stood to gain in this manner, and the resultant drain on the Fund, I can readily understand why the Act was amended in 1972."

I am not arguing about that. What I am arguing against was that in October 1972 when Mr. O'Brien applied to the Superannuation Board the Public Service Superannuation Act 1958-1969 was in force. Therefore I do not think that the premise of Mr. Longland—that the board had correctly applied the law as it stood in 1973—was correct.

Surely any employer in the public sector is responsible for the actions of his employees, and I see no reason why in this regard the State Government should be exempt. If a State Government employee is responsible for a person's not proceeding with his application in December and that person thereby loses the right to enter the superannuation scheme, surely the Government is responsible, and should make payment. Mr. O'Brien had to borrow the \$26,213 from a bank. He did this, and the money was available in October 1972.

I want the House to consider this case on its merits. Why should Mr. O'Brien lose \$32,609 because of the action of a member of the Public Service Board? I am not interested in the fact that the board has applied the law correctly. I am more interested in seeing that Mr. O'Brien receives

justice. I doubt if many Government employees applied to enter the superannuation scheme just prior to the amendment introduced in December 1972. I do not believe that we would create an impossible situation by paying this money to Mr. O'Brien. It would be different if there had been a flood of thousands of applications from people wishing to enter the scheme before the loop-hole was closed. I know of no other case and the Ombudsman did not refer to any other case. In the circumstances I can only assume that only this case is being considered.

As the loop-hole is closed, a precedent could not be established for any other person, but it seems that we are to ignore the lawful rights of a person who, as I pointed out, applied while the provision was current. I hope that we, as a Parliament, will consider whether or not this man is entitled to the superannuation benefits. I certainly hope that the Premier and the Government will consider this matter.

INCREASED POSTAL AND TELEPHONE CHARGES

Mr. LESTER (Belyando) (12.38 p.m.): I rise to protest strongly from the floor of the House about the proposed increases in telephone charges and postal services. For the information of the honourable member in the Labor ranks who said that I may not have had a reply from the Prime Minister, and to let him know that I am always a fair person who tries to give credit where it is due, I point out that I have here a reply from the Prime Minister's secretary, which is fair enough. He informed me that my views would be noted. At the same time, I was given some information from the Australian Postal Commission and Telecom of Australia on why these charges are to be increased.

Obviously the Prime Minister has no intention of stepping in to reduce these charges. In the circumstances I should like to take the matter a little further, and I use this opportunity to call on all Queenslanders, in the few days left, to voice their strongest possible protest at these increased charges. This is an awful impost; the charges are to be increased by much more than the across-the-board average inflation figure. It is not fair to us as Queenslanders and Australians.

In 1972 the Australian Labor Party was elected to power in the Federal sphere. In a sweeping vote Labor was elected on promises of better quality of life, a better deal for the working man and, indeed for everybody. What has happened since then? We have bounced and bumped and rolled along from one bad decision to another. In some spheres we are now referred to as being a member of the Communist bloc.

In 1972 a letter could be posted for 7c. Next week it will cost us 18c. In other words, in less than three years the cost has increased by nearly 200 per cent. Is that fair? The

basic parcel rate will increase by 90 per cent from 11c to 20c. The basic registered article will now cost \$2, a 100 per cent increase from the present charge of \$1. Priority mail is to be increased by 60 per cent from 30c to 48c. I ask again: is that a fair go?

It is all very well for the Federal Government to blame business people and the unions for contributing to our rate of inflation; that Government itself should set an example. It is certainly not doing it by approving these increases in postal charges. The Federal Government cannot blame the business people or the unions when it adopts inflationary price increases such as these. It is not a fair go, and no member of the Labor Opposition could keep a straight face while trying to tell me that it is.

In addition to these drastic increases in postal charges, we will be hit with severe increases in beer, cigarette and petrol prices and also in charges such as aviation. Commonwealth Government action in these fields is hitting everybody in the community, including working people. It cannot be argued that the Government is not contributing to inflation. It certainly is.

In adding some further comments on this matter, I wish to refer to the effect on companies in the printing industry and others that will be affected in some way by these increased charges. It would be fair comment that fewer people will correspond and, at such times of celebration as birthdays and Christmas, fewer people will send cards. Because those honoured Australian traditions will be severely threatened, if not completely discarded in some cases, activity in that area will be reduced. Many paraplegics and others less fortunate than ourselves make a living from the production of Christmas cards, and in doing so make others happy; yet with one fell swoop these joys will be taken away from them. A great number of people will be earning less. In view of that, I ask again: are these proposed increases fair?

Mr. Jim Kennedy, the new man in charge of the Australian Postal Commission, said it is his hope that postal services in Australia will improve. I doubt it. I appreciate what he is trying to do. If he can improve our postal services, I will be the first to acknowledge it and wish him good luck. But I would think that his statement was made with tongue in cheek.

Some 11 years ago when I went to Clermont for the first time, I could post my mail at 9 o'clock on a Sunday morning and it would still be in time for the aircraft leaving at 10 o'clock. That mail would be on the desk of interested people down here first thing on Monday morning. If I had a post office box, I could collect Brisbane mail from the post office at 11 o'clock or 12 o'clock on Sunday. At that time normal business could be transacted at post offices on Saturday morning.

At that time we had many more mail services for the use of country people. These have been slashed fair down the middle and we have a lot fewer services. I hope that Mr. Kennedy can improve the postal services. But he has a long way to go. In the past 11 years these services have become fewer and fewer, yet we are paying three to four times as much for those depleted services.

The Australian Postal Commission will be subsidised to the extent of \$2,600,000. That is nowhere near enough. Can't the Federal Government give away some of its crackpot schemes and concentrate on subsidising areas that will help each and every one of us? After all, Medibank will cost \$1,400 million in the first year—and that figure is a stab in the dark. Almost certainly it will cost more, and many of the Commonwealth Government's other activities will cost us a great deal of money. Let it be fair dinkum and help us as ordinary people. It will subsidise the Australian Postal Commission in order to gradually get it into a position where it can finance itself.

I shall now deal with telephone and telegram charges which are to be increased across the board by 28 per cent. May I say that this is a swift kick in the guts for country people. Let us not pretend it will not be. In the country we communicate by writing to people and ringing them, yet, in times like this when things are bad for country people, we are to be hit with a 28 per cent increase in those costs.

Postal charges also are being increased. It will cost a lot more to register a parcel, yet the people in Canberra come and say that they are trying to help the country people. The Federal Government would not know what it was to help the country people. It was the former Commonwealth Government that did a host of things to help country people. If the present Government does a single thing to help the country people, everybody in Australia is told about it. Who does not know that Mr. Whitlam went to the western part of Queensland for a lizard race or that the Federal Government tried to do some good work in Birdsville, which we appreciate? But the Federal Government tries to put up a smokescreen and publicises to the hilt only the few things that it does. Those who are helped by that Government appreciate it, but in country areas, across the board, they are very few in number.

Mr. Whitlam's comment was, "The users must pay." Part of that is all right but he has a responsibility to ensure that the user does not have to pay so much that it puts him out of existence. The only way to voice a protest on this particular matter is to vote Labor out of office at the next election for ever and a day if it goes ahead with the increases proposed in postal charges.

HOUSING CRISIS

Mr. WRIGHT (Rockhampton) (12.48 p.m.): During the debate on matters of public interest last week I took the three minutes left before the luncheon recess to make a few observations about the accommodation crisis that has developed throughout this nation generally and in Queensland specifically. I want to take this opportunity to expand on those comments.

For years we have rested on past merits in the matter of the percentage of home-ownership in the community. Once it could be said that something like 75 to 80 per cent of homes were privately owned by their occupiers or under purchase. This is no longer true and the percentage is decreasing drastically.

It concerns me even more that in the recent Budget the Australian Government cut back its funding in this very important area. It is my personal opinion that this was an unwise step and whilst I appreciate that the Australian Government is under fiscal pressure, I believe that this decision will have an over-all detrimental effect.

However, this does not excuse the Queensland Government for its inept record in the housing field over the last decade. The 1975 Australian Budget cannot be blamed for the fact that last year the Queensland Housing Commission constructed only 2,286 units, which included all houses and flats constructed by the Commission on Commission land plus those for private individuals and those for developing interests such as the mining companies. Line up the 2,286 units against the 8,000 applicants at present listed on the Housing Commission waiting lists and it becomes apparent that this Government has made a pretty miserable effort towards meeting the accommodation demand in this State. It is time that the Government accepted that it has a prime responsibility to provide reasonable accommodation for these citizens.

We talk of standards of living and quality of life, and we espouse the idea of giving individuals the opportunity to make their way through life. We contend that the home environment has a very important influence on the social, and even the academic, development of citizens, especially in the early years of childhood and youth. Yet whilst these are worthy attitudes, society tends to accept the view when it comes to obtaining accommodation that it is a case of survival of the fittest. Too little cognizance is given to the disadvantaged in the community—and I include in this category those who are disadvantaged economically, socially and physically. There seems to be a community mentality that it is up to the churches and charitable institutions to look after these groups. We rely on organisations such as the St. Vincent de Paul Society to look after those who are often described as derelicts. Likewise, churches provide other accommodation

for the aged. Still others are involved in caring for those whom we describe as sober alcoholics, whilst other well-meaning citizen groups play a magnificent role in providing emergency accommodation such as women's refuges, and special hostels for women and teenagers such as those made available by the Country Women's Association.

Yet for all these good works, and for all this effort, the surface has hardly been scratched in meeting the "special need" problems in accommodation. It is for this reason that Governments, at both State and Federal level, must take a long, hard look at their responsibilities in this field. The Australian Government has done this to a marked extent, and I am sure that the generous 4-to-1 subsidies give to aged persons projects, and the like subsidies to other students accommodation projects, have been welcomed by the churches and charitable institutions concerned. The Queensland Government also needs to review its attitude to this question, and it is time that it broadened its sphere of operations if the present crisis is to be defused.

Not enough study of accommodation needs has been undertaken. I think that this point is clearly substantiated by the housing ghettos that often result from the clustering together of hundreds of Housing Commission homes, and by the high-rise housing units in the South which have themselves in many cases become a mark of poverty. Instead of meeting needs as they arise, the approach seems to be one of letting the situation get out of hand and hoping that socially conscious organisations will come to the rescue.

I would never suggest that community groups have no part to play, but I contend that Governments have the prime responsibility in assisting the disadvantaged. Likewise, it is the Government that should play a leading role in promoting home ownership. Under the present arrangement in Queensland, a maximum loan of \$18,000 is available through the Housing Commission. The interest rate is only 5½ per cent. The conveyancing or handling charges are minor. Long-term repayment arrangements are available, and there is a progressive purchase plan that allows tenants to pay off their deposits. Yet for all of these reasonable provisions, tens of thousands of Queenslanders still cannot meet them, or are otherwise outside the means test arrangement.

What young couple or family can find the difference between the \$18,000 loan and the total price of a house, which is often anywhere between \$3,000 and \$10,000? They just cannot find that difference. The present means test is based on 85 per cent of average weekly earnings. At present, that figure is \$129.37 for a husband, wife and two children, and there is an allowance of \$2 a week for additional children. I admit quite openly that the cut-off mark is continually reviewed but, regardless of this, the

group of people who are ineligible is growing daily. People with decent jobs and reasonable incomes still cannot obtain access to this finance.

I think I could draw an analogy with the Government's 2½ per cent interest loans to graziers. To date, a little over half the \$10,000,000 has been borrowed—not because graziers do not want the money but because the restrictions on eligibility prevent them from getting at it. The cut-off mark for housing needs to be raised significantly, and far more money should be allocated to prospective home buyers. In addition, the maximum loan needs to be markedly increased, and consideration has to be given to alternative no-deposit purchase schemes.

I am confident that these answers can be found, and, to start with, I would suggest that home-buying arrangements be such that the major debt can be met at a later or deferred stage. Whilst young people with families find it hard to meet commitments in the early years of marriage, this is not the case when their children are off their hands. For this reason, it seems worth considering a repayment programme that postpones the main pressure of repayment till this latter period.

A new approach also needs to be made to giving young people incentives to buy their own homes. One alternative to the present system of people desperately trying to save their deposits but never being able to do so is to introduce a scheme under which young people—old people, too, for that matter—can participate in a Government-run home finance plan. This would better be done on a Federal-State co-operative basis using the facilities of the Commonwealth Bank because we do not have a State Bank.

Mr. Lamont: Have you the statistics on private building?

Mr. WRIGHT: Yes. I know all about that. The scheme envisages as an example, young people investing \$10 a week over a five-year period in a housing fund. During this period they would get no interest on their money but at the end of the five-year period they would be guaranteed a loan totalling \$25,000 to be repaid over a period of, say, 30 or 40 years at 2½ per cent interest. During the five-year period the investor would be contributing \$2,600, which is more than the present 10 per cent deposit required by the Queensland Housing Commission. It would give the Government access to massive amounts of money which could be used during this period to finance the provision of special accommodation for which there is a need in this State. But most importantly it would give home purchasers access to the total loan required at 2½ per cent interest and it would be a real incentive to save.

I could talk at length about the importance of the home-building industry to the general economy. It is accepted that the housing

industry is something of a measure by which growth can be gauged. One does not have to be an expert to see the effect that the housing industry has on the community. The building of a house provides employment for surveyors, architects, all types of designers, carpenters, plumbers and electricians. Then the subsequent flow-on aspects arise such as the demand for furniture, floor coverings, furnishings, lawn mowers, hoses and fertilisers, so it is easy to see the importance of the housing industry to the economy. But more importantly the housing industry is the basis of the quality and standard of life which we have in this country. This is an important, grass-roots issue for the people and, as I said previously, there is a need for the Government to look again at the accommodation problem. It could best do this by setting up a task force to investigate all areas of accommodation needs including alternative home-purchase schemes.

POWER CRISIS

Mr. DOUMANY (Kurilpa) (12.57 p.m.): I wish to speak very briefly about the power crisis and the continuing war of attrition being waged against the people of South-east Queensland by the coal-mining unions. The Minister spoke about this matter this morning, but I wish to refer to an article that appeared at page 9 of "The Courier-Mail" this morning regarding the Lord Mayor of Brisbane. I wonder how this newspaper can waste so much space on photographs of the Lord Mayor when he talks such crass nonsense. I think he has had his chips. Let me set a few of the facts straight. I wish to quote a letter from a miner which appeared in "The Queensland Times" on Thursday, 21 August headed, "Miner has no quarrel with colliery owners". The letter reads in part—

"As one of the coal-miners, I would like to ask our union leaders why they lacked the intestinal fortitude to attend the hearing called by the Tribunal last week. They wage a hate campaign against the owners and have been trying for six months to force them into meeting our demands."

It ends with this very simple statement—

"In 1949 we destroyed the Chifley Government and we will again destroy the Whitlam regime by being led by our cowardly leaders."

The letter is signed "Fed Up". That is the sort of sentiment that exists among common-sense trade unionists and I am absolutely certain that sentiment is rife throughout the community and yet the cricket 11 here and, worse still, the novice Lord Mayor of Brisbane can but dredge up a whole lot of nonsense. Let us look at the facts. Because of overtime bans there will be a substantial shortfall in supplies for the power industry of some 15,000 tons a week of the 50,000 tons required for the South-east Queensland power industry. Honourable members

opposite talk about oil. The cost of oil is two and a-half times that of coal yet honourable members opposite and their Lord Mayor over in the City Hall have the audacity to talk about using oil. Let us go further. Since mid-June there has been a shortfall—.

Mr. DEPUTY SPEAKER (Mr. W. D. Hewitt): Order! Under the provisions of the sessional order previously agreed upon by the House, the time allowed for Matters of Public Interest has now expired.

The House adjourned at 1.1 p.m.

At 2.15 p.m.,

Mr. SPEAKER (Hon. J. E. H. Houghton, Redcliffe) took the chair.

VACANCY IN SENATE OF COMMONWEALTH OF AUSTRALIA

NOMINATION OF MALCOLM ARTHUR COLSTON, VICE BERTIE RICHARD MILLINER, DECEASED

Mr. SPEAKER: Order! I have to announce that this meeting has been summoned for 2.15 p.m. this day under the provisions of Standing Order No. 331 for the purpose of the election of a senator. There being a quorum present, the meeting is now constituted. I now call for nominations. I point out that every nomination must be accompanied by a declaration by the nominee of qualification and consent to be nominated and to act if elected.

Mr. BURNS (Lytton—Leader of the Opposition): I nominate Dr. Malcolm Arthur Colston, Education Psychologist, residing at 43 Steptoe Street, Indooroopilly, Brisbane, for election to hold the place in the Senate rendered vacant through the death of Senator Bertie Richard Milliner, and I produce Dr. Colston's declaration of qualification and consent.

Whereupon the honourable gentleman produced Dr. Colston's declaration of qualification and consent.

Mr. SPEAKER: Order! I declare the nomination in order. Are there any other nominations? As there are no further nominations, I call on the Leader of the Opposition.

Mr. BURNS (Lytton—Leader of the Opposition) (2.17 p.m.): I move—

“That Dr. Malcolm Arthur Colston be elected to hold the place in the Senate of the Parliament of the Commonwealth rendered vacant through the death of Senator Bertie Richard Milliner.”

Every member of this Chamber regrets the sudden, tragic circumstances that caused this special sitting of Parliament today. Bert Milliner was a great Queenslander. He was a good friend to many of us in this Chamber. He was a man of tremendous sincerity and unquestioned integrity. He was elected to the Senate in 1968—

Mr. Aikens: Why didn't you say that when he was a member of the A.L.P.?

Mr. BURNS: That is about the standard to which I would expect the honourable member to rise. To attack a man after he has died is probably the lowest thing one can do.

As I said, Bert Milliner was elected to the Senate in 1968, and he was returned again for a further six-year term as the No. 1 A.L.P. Senate choice in this State in May last year. His untimely death at his desk in the Australian Government Parliamentary Offices prevented his completion of this new term.

Bert Milliner was a former president of the Queensland Branch of the Australian Labor Party; a former delegate to the A.L.P. National Conference; a former State secretary of the Printing and Kindred Industries Union. On behalf of my colleagues and myself, I place on the record of this Parliament our appreciation of his services and his friendship. To his widow, Thelma, and family I extend the deep sympathies of the Labor movement and, I am certain, every member of this Parliament.

My reasons for nominating Dr. Colston are, briefly, that he has an untarnished character and an untarnished reputation, and no fair-thinking person can question his contribution to either the Public Service of this State or the defence forces of this nation.

Dr. Colston is the democratic choice of the same political party that the late Bert Milliner represented in the senate—through the clear support of the Queensland people—at the time of his death.

In the Senate election for Queensland on 18 May last year, the Liberal-National parties polled a combined 529,851 primary votes; the A.L.P. 451,623. The state of the political parties resulted: Liberal-National Parties, 6 seats; A.L.P., 4 seats. After distribution of preferences Dr. Colston, on that occasion, failed by a narrow margin of 2,461 votes in an over-all poll exceeding a million to secure the electoral quota required for the final tenth Senate position.

I submit that Queenslanders, by their vote, demonstrated it was their wish that the A.L.P. should represent at least four of the 10 positions of their State in the newly constituted Senate. Any deviation from this level of representation now by this Parliament in these circumstances not only would be a departure from democracy but against the expressed intent of the Queensland electorate. We would be denying the will of the electors at that particular time.

In addition, Dr. Colston was an endorsed A.L.P. candidate for the Australian Senate elections in 1971 and again in May 1974. His endorsement for this vacancy was carried overwhelmingly last month by the A.L.P. Electoral College comprising delegates from all areas of Queensland. He is already the endorsed A.L.P. number three candidate for the half Senate election due next year.

I would now like to enlarge on the qualifications and biographical background which my colleagues and I believe render Dr. Colston eminently suitable for the Senate vacancy we are considering today. Dr. Colston is 37 years of age, married with two young sons, and lives, as I mentioned earlier, in the Brisbane suburb of Indooroopilly. He entered the State education service in 1956 and taught in the following primary schools: Mitchelton (1957), Imbil (1958-59), Gallangowan, in the Premier's electorate (1959-1961), Carter's Ridge (1962) and Grovely (1962-63). Dr. Colston taught at the Kelvin Grove State High School in 1964 and was employed within the department as a guidance officer in 1965 and 1966. Through part-time study (external and evening) he graduated as a Bachelor of Education in 1965, and resigned from the State Public Service the following year to attend the University of Queensland as a full-time student. He graduated as a Bachelor of Education with honours in 1966 and as a Doctor of Philosophy in Educational Psychology in 1970.

In 1971 Dr. Colston was reappointed as guidance officer to the State Education Department, and later in the same year was appointed officer-in-charge of the then new Planning and Research Branch of the Queensland Police Department. He represented this department three times at interstate conferences in Canberra.

Dr. Colston resigned from the Police Department last year to contest the Senate elections. Following the elections he was reappointed in July last year to his previous position, but seconded on equal classification the same day to the position of Research Officer in the State Government's Department of Industrial Relations.

I make those points because the Government has employed Dr. Colston in very important positions in the Education Department and elsewhere. That must mean that he is competent and capable. His character is such that we were prepared to support him at that level and therefore we should be prepared to support him today.

In accordance with constitutional requirements, Dr. Colston resigned from his last position on 18 August this year to contest the election now before this Parliament.

Dr. Colston is a young man who has won high academic achievement. He served in three State Government departments and displayed previous determination to serve Queensland at the national political level.

But let me proceed further. In 1964 he joined the Citizen Military Forces of Australia (since renamed the Army Reserve) as a private, and has since risen to the rank of Major. He is at present a staff officer with the Reserve at Kelvin Grove, Brisbane, and in 1966-67 served on full-time duty for three months in Papua New Guinea.

Under the Constitution of the Commonwealth of Australia and the Standing Orders of the Legislative Assembly of Queensland the nomination of Dr. Colston will be judged today by this Parliament. Regrettably there has been media speculation in recent weeks that certain people intend to misuse this occasion to indulge in party-political mischief, and to convert this parliamentary sitting into some kind of political lottery.

Since 1949 when the proportional representation voting system first applied to Senate elections in Australia there have been 25 previous casual vacancies filled by the various State Parliaments. It has been accepted convention that these vacancies are filled by the nominee of the same political party as the deceased or resigned senator. On 23 of the 25 occasions this procedure has been observed without deviance by the State Government concerned.

On those 23 previous occasions only one nominee was sought from the political party involved, and that nominee was endorsed by the State Parliament. The two departures from this traditional convention brought, I believe, discredit on their political architects and tainted the image of democratic fair play as most Australians choose to observe it. The first occurred in this Parliament in 1962, when the then Country-Liberal State Government, through its numbers, rejected the original A.L.P. choice, the late Mr. Alf Arnell, and demanded a second Labor nominee, Mr. George Whiteside, whom Parliament then endorsed.

The second departure from this principle occurred in New South Wales earlier this year following the resignation of Mr. Justice Murphy on his appointment to the Australian High Court. That is the only instance since 1949 when a State Parliament has filled a casual Senate vacancy from outside the political party of his predecessor. Even the Liberal Party at national level virtually dissociated itself from the action of the Liberal Premier in this disgraceful episode. If we are to believe reports, this Parliament today is to be threatened with some other form of action. I hope it does not come to pass.

When the Liberal Party Senate vacancies occurred in Queensland in 1966 and 1971, the National Party (or Country Party) Premiers of the day—Sir Francis Nicklin and Mr. Bjelke-Petersen—were advocates of Commonwealth convention. They sought only one nominee from the Liberal Party, that is, the late Mr. William Heatley in 1966, and Senator Neville Bonner in 1971. On each occasion the sole nominee was endorsed by this Parliament. The National (or Country) Party-Liberal Government of those times followed convention, and Parliament supported its actions.

The 1966 Liberal vacancy occurred following the death of Senator Bob Sherrington and the 1971 vacancy occurred when Dame

Annabelle Rankin resigned to take up an Australian Government appointment of High Commissioner to New Zealand. Today's vacancy arises from the sudden death of a very respected Queenslander who was elected by the Queensland people, as an A.L.P. candidate, just over 12 months ago, for a six-year term in the Senate. There is no valid reason now why any members in this Parliament should attempt to depart from conventional practices which their own Government upheld in 1966 and 1971.

On 31 May 1971, in the case of Dame Annabelle Rankin's resignation, the present Premier wrote to the member for Bulimba, as Leader of the Opposition, in these terms—

"As you know, the accepted practice when a casual vacancy of this nature occurs is for the new Senator to be of the same political party as his predecessor and I have asked the Queensland Division of the Liberal Party of Australia to advise me, as quickly as possible, of the name of the person they wish to nominate on this particular occasion."

Mr. Marginson: One person.

Mr. BURNS: "The person".

In other words, in 1971, when Dame Annabelle Rankin of the Liberal Party resigned to take up a Government appointment, in similar fashion to what was done by Mr. Justice Murphy earlier this year, the Premier was a stickler for convention—a supporter of Commonwealth tradition. He sought, and obtained, only one nominee from the Liberal Party as her Senate replacement.

Let me now examine the attitude of the same Premier in a letter to myself on 17 July this year, following the death of A.L.P. Senator Milliner on 30 June, as expressed in these terms—

"The generally accepted practice when a vacancy of this nature occurs is for the new Senator to be of the same political party as his predecessor.

"To this end, therefore, I should appreciate your advising me as soon as possible the names of three persons whom your party would be prepared to nominate for the election of one of them by the Parliament to fill the present casual Senate vacancy."

Mr. Bjelke-Petersen: How many did you say I named?

Mr. BURNS: Three.

Mr. Bjelke-Petersen: How many did you put up?

Mr. BURNS: One, and one is what you will get.

Mr. Bjelke-Petersen: That is what you think. You are in trouble.

Mr. BURNS: I do not know that I am in trouble. It seems that the Premier intends to depart from conventional practices yet he

has been screaming and whingeing for years about what the Federal Government has been doing. In 1966, there was a request for one nominee from the Liberal Party, signed by the Premier, and in May 1971, the Premier asked for three nominations from the Labor Party.

Mr. Bjelke-Petersen: We are being very generous to you.

Mr. BURNS: Very generous!

We are in a situation where nothing could be more inconsistent; nothing could be more malicious or opportunist.

Dame Annabelle Rankin left the Senate of her own accord to take up a highly paid Government appointment in New Zealand. Bert Milliner died in office after completing only one-sixth of the term granted to him by the Queensland people as an A.L.P. representative.

I do not accept the cynical assertions of some honourable members opposite that the 1962 events surrounding the filling of an A.L.P. Senate vacancy created precedent for intermittent similar behaviour in this Chamber—but only when an A.L.P. vacancy occurs.

The abortive happenings of that time brought discredit on the Government and would be better forgotten than preserved for re-enactment when some people believe them politically convenient.

As we are all aware, the Senate had long ceased to be a States' House in Canberra.

A Government Member interjected.

Mr. BURNS: I could quote what the Minister for Mines and Energy (Mr. Camm) said in one of his Sunday night broadcasts. This is what Sir Robert Menzies said about the Senate in a rather long dissertation reported in "The Courier-Mail"—

"The clear fact is that the Senate has become a party House, senators from each State (there was then one exception in Tasmania) being elected on party tickets, and therefore becoming members of the parliamentary parties adhering broadly to their party policy."

He continued—

"It would be very rarely that a Liberal senator or a Country Party senator or a Labor senator would feel himself free to vote against giving effect to a measure propounded in the House of Representatives after a general election at which his party had been chosen, to carry on the Government of Australia on the basis of its electoral policy."

Sir Robert clearly recognised that the Senate had become a party-political wing of Government rather than a State's House of review as intended at federation.

Government Members interjected.

Mr. BURNS: Government members should read that article. Those are the words of their leader—their revered leader of the past, the one they all look up to. He created the Liberal Party.

It is this changed concept that, I submit, Parliament must acknowledge in its deliberations today on the casual vacancy before us. It was refreshing to see the Liberal member for Chatsworth quoted in "The Courier-Mail" last Saturday as stating he trusted convention would be observed on this occasion.

We are, in the context of present-day political practicalities, asked at this sitting to fill an A.L.P. vacancy in the Senate; to adhere to convention and protect the representational level of the Queenslanders who voted Labor on 18 May last year. The Senate will become a democratic mockery if its numerical composition and subsequent decisions are to be determined, not through elections, but by the capacity of State Governments to ignore convention and manipulate casual vacancies caused by death, illness or resignations.

On this occasion my parliamentary colleagues and I nominate Dr. Malcolm Arthur Colston for the existing vacancy. He had only one opponent for A.L.P. selection and is the overwhelming choice of all sections of the party.

I mention, as an indication of his respect within the A.L.P., that in 1971 and again early this year in State-wide rank-and-file elections of branch delegates to Labor's Queensland Central Executive, Dr. Colston both times topped the poll. My submission of Dr. Colston here today is in accordance with conventions and traditions endorsed by Sir Francis Nicklin in 1966 and the present Premier in 1971, when Liberal vacancies occurred. It is consistent with principles upheld by State Governments throughout Australia on 23 of 25 previous similar occasions since 1949. There is no legitimate reason for departure in any form at this sitting.

Dr. Colston is a young Queenslander of great achievement. He is a young Queenslander of unblemished character; a young Queenslander who, on two previous occasions, has exposed himself as a candidate for senate election; a young Queenslander who has served both the administration of his State and the security of his nation. I challenge any member in this Chamber to declare a single valid reason why he should not be elected without dissent to this vacancy.

Certainly there is no excuse why Parliament should require a panel of three nominations, which it found unnecessary in the instances of Liberal vacancies in 1966 and 1971. We should observe national convention and uphold the democratic dignity of this Parliament instead of converting it into some kind of circus for the party-political amusement of some of our colleagues opposite.

In accordance with tradition, convention and democratic fair play, I am proud to nominate Dr. Colston for this vacancy and recommend him for endorsement by all members of this Parliament.

Mr. BYRNE (Belmont) (2.34 p.m.): In one sense I feel that I must accept the challenge that has been put forward by the Leader of the Opposition. I have not in my short term in this Parliament and prior to that been regarded as a person who was party political. I do not consider myself to be that now and I will not be in the future. I believe that this Parliament has collective responsibilities and that members in the Parliament have individual responsibilities. In the same way, the Senate has responsibilities as do the senators themselves.

I accept the principle that convention, once established, must be maintained and it would appear that the convention that is presented to us on this occasion of an A.L.P. nomination should be accepted. I do not deny that convention.

There is also a responsibility within the A.L.P. to ensure that there is presented to this Parliament a person of unblemished and untarnished character. It contends that it has presented us with such a man.

We must have a suitable replacement to Bert Milliner, and in that regard I find myself in a quandary. In view of certain information that has come to me, I find it difficult because of my personal principles to support the endorsement by this Parliament of Mal Colston as a senator. The reason I state this is that in accepting that nomination with other honourable members of this Parliament, either I must go against my beliefs based on facts that have been presented to me, and vote for this man, or vote against him because I feel he is unsuitable or that questions that have been raised need to be answered. It is difficult for a man at any time to escape his past and I desire to put forward certain matters to show that this is the situation that this man finds himself in.

In a letter written on 24 May 1971 to an inspector within the Police Force, allegations were made. It appears that Dr. Mal Colston was the prime suspect in an arson case in 1962 at the Carter's Ridge School. As the Leader of the Opposition pointed out, he was there only during 1962. Following the investigations and the situation that this man found himself in at the Carter's Ridge School, he was, for some reason as yet unexplained, transferred within two or three weeks following the investigations. The case was not proceeded with and, indeed, if the files of the Police Department in Brisbane are false—

Mr. Hanson: If they had the evidence, he would have been charged.

Mr. BYRNE: I do not desire to tip a bucket on any man. However, I feel that within this Parliament every honourable member has a responsibility.

Honourable Members interjected.

Mr. SPEAKER: Order! I remind honourable members that they will obey the Standing Rules and Orders or they will be dealt with. I do not want to have to take action. The matter is entirely in their own hands. All honourable members will have an opportunity to speak and any honourable member on his feet will have an opportunity of being heard in silence.

Mr. BYRNE: Every honourable member has a responsibility to himself and to his electorate to ensure that the decision he makes and the vote he casts are acceptable and are made in good conscience. I raise this point because in this regard I have difficulties. As we have been assured by the Leader of the Opposition that this man is of untarnished character, I desire the Leader of the Opposition, if there is no case—

Mr. K. J. Hooper: Why did you leave the seminary?

Mr. BYRNE: I left the seminary because I thought I might endeavour to achieve some justice and truth in this society. That is what I am trying to do.

My responsibility as I see it impels me to expose this situation. The Leader of the Opposition would have us believe that this man is untarnished. I am quite certain that the A.L.P. would not put before us a nominee of whom it could not clear any suspicions that exist. I quote from this letter—

“Inquiries showed he was most unhappy here at the school and had tried to obtain a transfer without success. The theory about being obsessed with a political career was right . . .”

This will be apparent when I quote from the statements made by the police. To return to the letter—

“The theory about being obsessed with a political career was right, as he ran recently as the A.L.P. No. 3 on the Federal Senate ticket.”

The police officer who wrote this did so because he was socially concerned within the community at the appointment of Dr. Mal Colston as officer-in-charge of the new Research and Planning Section in the Police Commissioner's office.

Opposition Members interjected.

Mr. SPEAKER: Order! If persistent interjections continue, I will be naming some members on my left.

Mr. BYRNE: The letter continues—

“The woman with whom he boarded at Carter's Ridge advised me that whilst there Colston would be up at all hours

of the night pacing backwards and forwards in his room. This was just prior to the fires.”

After the investigation, he was transferred some two to three weeks later. There were two attempts at arson in this situation, one only two or three weeks prior to the other.

In relation to the statement that was given, which it is my intention to table, the facts that I am about to narrate were established. The fires that occurred on these two occasions were in a sports room. To the lock on that sports room, Colston, when questioned, stated that he was the only person who held a key. That key was always in his possession, and no unauthorised person had ever had possession of it.

In relation to the first case, on the day in question the child who had been handed the key to lock the room was questioned, and he stated to the satisfaction of the investigating officers that the key had been returned to Mr. Colston.

Mr. K. J. Hooper: Was he charged?

Mr. BYRNE: I shall continue, Mr. Speaker. The report goes on—

“I had a further conversation with Colston and showed him the lock and the area surrounding the lock on the door. He agreed with me that no force had been used on either the lock or the surrounding area. I informed him that in my opinion whoever had entered the room had done so by apparently unlocking the lock. He stated that he did not know how this could be done as he was the only person with a key.”

Further inquiries were made. Some few weeks later, Mr. Colston rang the same police officer and informed him that another fire had been started at the school, causing considerable damage. The door of the storeroom was a galvanised-iron type. It had collapsed, but an examination showed that the lock was still locked, and again no signs of forced entry was observed. The police officer's report continues—

“As a result of my observations at the scene, I am of the opinion that such fire was started in the storeroom, and that same had an intense original heat.”

The report goes on—

“I informed Poulsen that Colston had remained at the school until 9.15 p.m. on that night and requested his opinion as to when he considered the fire would have started. Poulsen stated that in his opinion if the fire had not commenced whilst Colston was at the school, then it would have commenced a ‘short time later’.”

I shall table these documents, Mr. Speaker. I have quoted from the statement by one

policeman. The second police officer, who carried out the investigation with him, submitted—

“From observations and inquiries it is evident that the attempt to set fire to this school on or about the 25-4-62 and the fire which caused more serious damage on the 20-5-62 was the work of the same person. On the 25-4-62 the lock to the storeroom under the building was in an unlocked condition according to the teacher, and on arrival of the police. The child . . . is adamant that it was locked at about 4 p.m. on 24-4-62 and the charred paper was still in a rolled condition on the inspection of the police the next day. The teacher was the only person in possession of the key. He was present at the school (according to him) up to 9.15 p.m. on 20-5-62 and the fire was well alight at about 9.40 p.m. when seen by the man . . . from his home about a quarter to three-quarters of a mile away. From inquiries it would seem that the teacher (Colston) was not happy at Carter’s Ridge School and although there is nothing to definitely connect him with the starting of the fires he is the suspect in this instance.”

In view of the difficulty I feel in endorsing a man who appears to have these suspicions about him, as there has been no resolution of this matter to date, as the file appears to be absent from those held in the head office of the Police Department and as we were assured of the untarnished reputation of the Senate candidate, I accept the challenge of the Leader of the Opposition and raise the matter and I request him, if he will do so, to give us a suitable explanation.

Opposition Members interjected.

Mr. AIKENS (Townsville South) (2.47 p.m.): When the yelping puppies of the A.L.P. have stopped I will address the House.

Mr. Jones: I’ll tip the tin on you, brother!

Mr. AIKENS: I’ll tip a tin on you and you’ll never get out of it; you’ll stink for the rest of your life.

Mr. SPEAKER: Order! I warn the honourable member for Cairns under Standing Order 123A.

Mr. AIKENS: As the very highly respected and venerable father of this House I would like to draw attention to the fact that the Speaker and the officers of the Parliament seated at the table are not arrayed in their usual panoply of office. That is because this is not a sitting of the Queensland Parliament but a meeting which is presided over by Mr. Speaker in the role of chairman. That does not deprive him, however, of all the punitive powers that he possesses as Speaker and I hope that if

some of the A.L.P. louts and yahoos continue to act as they have been he will exercise some of those punitive powers pre-emptorily.

First of all, I want to say “Thank you very much indeed” to some members of the Parliament, particularly Dr. Scott-Young, Max Hooper, Eddie Casey and others who offered to nominate me for this position but I would like to—

Honourable Members interjected.

Mr. AIKENS: I was going to tell honourable members something but I will not; I will keep it as a surprise.

I also want to thank the media because from the moment my name was mentioned as a prospective Senate nominee I have had, I think, four television appearances and been on about six radio programmes. I do not know how many statements I have made to the Press and I have lost count of the number of people who wrote to me, came to me and even sent me telegrams, in these days when telegrams cost a lot of money to send, congratulating me on my proposed nomination for the position of Senator.

An Honourable Member interjected.

Mr. AIKENS: I would make an excellent Senator. I would fill the halls of the Senate with glorious golden oratory. Honourable members know that.

The honourable member for Chatsworth, our very worthy Chairman of Committees, wrote an article to “The Sunday-Mail” last week in which he pointed out, I think, certain constitutional matters that had to be observed before anyone could nominate for this office. I knew of those constitutional matters, of course, but nevertheless I think that the honourable member for Chatsworth was quite right in drawing the attention of the people to them. He also mentioned the fact that in the past when the Parliament has sat as a Committee in order to elect a Senator to an extraordinary vacancy, I have expressed very firm and very strong opinions on the Senate. I see no reason to alter any of those opinions. As a matter of fact, they are more strongly embedded than ever and I repeat that in my opinion the Senate is a parliamentary eventide home, a political scrap-heap, a political garbage bin and a political rubbish tip into which all sorts of queer characters were thrown under the party system control. And under the strict party system control of the Senate I would not for one moment have given a statement, and given it in all good faith, that I was honestly and sincerely considering the nomination of the worthy gentlemen whose names I have mentioned.

My real reason for deciding to give it some consideration—and I did give it some consideration—was that since the intrusion, if I may use that expression, of independents,

the Senate has become a slightly different place and it does perform some service to the community of Australia.

Unfortunately, I made considerable inquiries—I do not judge these matters lightly—as to what would happen to me and to North Queensland if I did accept the nomination. I want to tell you, Mr. Speaker, that I had the numbers to win. Any member of the Opposition will tell you that, and some members of the A.L.P. would even have voted for me in order to get me out of the House—their only chance of ever doing it. As I say, I had the numbers to win the Senate nomination. But among the inquiries I made were inquiries as to what happened in New South Wales when the Government of New South Wales, under Mr. Lewis, decided to break with the corny tradition so glibly enunciated by the Leader of the Opposition and put Mr. Bunton, the ageing mayor of Albury, into the Senate to represent New South Wales.

One of the policy matters about which the Federal and Liberal Governments of New South Wales have made a great hoo-ha relates to the establishment or cultivation of a regional growth centre at Albury-Wodonga. Of course, Albury and Wodonga are really one town, but they are divided by the Murray River. The moment that old gentleman accepted the nomination to fill a Senate vacancy in New South Wales, the Whitlam Government, with the contemptuous despicability for which all Labor Parties are noted today, ordered that no more Federal money be spent in Albury. Every cent of Federal money is now being spent in Wodonga; so much so that business people are leaving Albury to go to Wodonga, and the people of Albury are saying to their Mayor, "What did you do to us by going into the Senate and sacrificing your town?"

The victimisation of Albury by the Whitlam Government because the Mayor of Albury accepted nomination for an extraordinary vacancy in the Senate was one very strong reason why I told my nominees and my various friends in the Chamber that I probably would not accept the nomination. But it is not too late yet, and members of the Opposition will find that out. I will wipe the grin off their faces, or, rather the Premier or somebody else will later. Rather than have North Queensland lose by it, I was quite prepared to forgo my chance of becoming a senator.

I was not going to be elevated to the Senate, Mr. Speaker. Do not get that idea into your head! I was going to be denigrated; I was going to descend into that cesspit, the Senate, to assist North Queensland. God knows, I have had to go down into the cesspit often enough with the A.L.P. in this Chamber! The further they go down into it, the further I go down after them. That is why they fear me. But I was not prepared

to jeopardise the chances of North Queensland battling along, as it is battling along, with the few niggardly dollars thrown to it by the Whitlam Government. I was not prepared to see even those few niggardly dollars thrown into the dustbin merely to gratify my personal inclination to go into the Senate. Honourable members should not make any mistake about it. The Whitlam Government would be sufficiently despicable to do to North Queensland what it is doing to Albury if I accepted the nomination. As I said, I had the numbers to be elected if I accepted it.

Let us see, Mr. Speaker, what would have happened if I had gone into the Senate; let us see what the Senate means to Queensland and what it means overseas. I have been overseas a couple of times, at the expense of the Queensland taxpayers—thank you very much, ladies and gentlemen—and I have met many people who have seen a number of other Australian politicians overseas. Wherever I have been, people have said to me, "How the hell did Queensland ever put men like Georges and Keeffe into the Senate. Fancy those men representing any State!"

If I went into the Senate, one of the things that would haunt me night and day would be the possibility that some day I would be at a function and someone would make a speech and say, "I want to refer to Senator Aikens and his senatorial colleagues Keeffe and Georges." If that happened, I would have to go outside and vomit. Nevertheless, these are the men to whom I heard the Leader of the Opposition refer today in glowing terms.

Incidentally, Mr. Speaker, he made a speech that was typed out in anticipation of other nominations being made—anyone who heard him read it would know that it was typed out to defeat the case that was put up for the other nominees—but no other nominees were put up. Nevertheless, it was not a bad speech. He is fairly glib, and he is certainly very vociferous and he made the best of a bad job.

The Leader of the Opposition talked of Senator-elect Colston topping the poll for the election of A.L.P. candidates at the A.L.P. Electoral College. Good God, the less he said about the Electoral College for the election of A.L.P. candidates the better! Everyone knows how that works. When Senator Georges was elected as an A.L.P. Senator, I told the following story. I think there were 37 at the college that day, and he let it be known that there was \$1,000 in it for everyone at the college who would vote for him. One fellow who was a little bit obtuse, like the honourable member for Port Curtis and others, with that lack of perspicacity for which some A.L.P. members are notorious ran along to Georges and said, "George, I'll be in that. You can have

my vote for \$1,000." Georges said, "No thanks, I've got 19. I've got enough." He had already spent \$19,000 to win. We all know that to be true. I am not telling anyone anything he did not know.

Mr. Hanson interjected.

Mr. AIKENS: The honourable member might have financed him. He is warm-hearted enough to do it.

Today the Labor Party is at its lowest ebb. The people of Australia are hoping for the day when they can have a Federal election to show the A.L.P. just what they think of it. In view of the state the A.L.P. is in today, I was absolutely amazed that the Leader of the Opposition, with the fluency for which he is noted, did not nominate John Stonehouse as the A.L.P. nominee. He has everything that the A.L.P. requires today. He is a liar, a thief, a crook, a con man and a fugitive from justice. He has first-class qualifications for nomination today. What is wrong with Stonehouse? Why didn't the A.L.P. nominate him? I have no doubt that he would have suffered the same fate as anyone else the A.L.P. nominates. With Stonehouse available why did the A.L.P. pick on Colston?

Let me refer to what the Leader of the Opposition said about Dr. Colston being an honoured servant of this State. Colston has been crawling to the National-Liberal Government for years. He crawled to it to get a job. After he had dropped out to contest the Senate, he subsequently crawled to the Government, but the Minister who had previously employed him would not employ him again. He went to the most warm-hearted Minister, a man who, to judge from his appearance, would be the antithesis of a ballerina. That Minister said, "Poor bugger. Give him a job." He has been crawling to the National-Liberal Government for years for a position. He got his position and held it until he resigned in anticipation of appointment to the Senate.

I am not going to make any personal attack on Dr. Colston. I never launch a personal attack on anybody except in retaliation. I have done that in the past and I will do it again. God help anyone who takes me on! I have a file of dossiers down there that I have to keep wrapped in fire-resistant material. If ever I bring that file in here, God help the man I bring it in on. I have been 30-odd years collecting those dossiers and they represent my most prized possession.

Mr. Melloy: Have you got one on me?

Mr. AIKENS: The honourable member is too insipid. I couldn't get a thing on him.

I will put it mildly. Colston is one of the trendy university set—one of the trendy mob.

Mr. Alison: An academic.

Mr. AIKENS: He is worse than that. The other day I was out at the James Cook University addressing the students. Honourable members can imagine what it was like. As usual I finished up with 60 per cent of them cheering me and 40 per cent of them jeering me. After I had given them a very sound address on education, and what education was coming to in the universities—I will be asking the Minister for Education and Cultural Activities some questions about that later on—they asked me if I would answer questions. I said, "Yes." One young woman stood up—if she had been dressed in male attire I would have mistaken her for Colston—and she asked me, "Mr. Aikens, what is your attitude to masturbation?" I said, "I have never had any personal experience with it but doctors assure us that it will not do us any harm physically or mentally. If that creep that you have your arm around had his hands tied behind his back he would look a lot better and act a lot saner." Of course, it was "on" then. That is the type of university group to which Colston belongs.

Let me now deal with the mover of the motion. When we talk or think of electing a man we should examine the man who puts him up for consideration. In doing so, I shall not make a personal attack on the Leader of the Opposition. Although I have a dossier on him downstairs that a kangaroo could not jump over, I shall not mention anything about it or what it contains. I intend to refer purely to his political activities and other political aspects.

We all know that the Leader of the Opposition was a close, bosom or intimate friend of a man named Kennedy of Brisbane, who amassed a fortune—in fact he became a millionaire—by fleecing the unfortunate people who bought electrical appliances from him. Not long after the Whitlam Government came into power, the Leader of the Opposition pressured Gough Whitlam into appointing Mr. Kennedy to a top-ranking position in the postal service. In fact, I think he is the chief administrator of the Post and Telegraph Services. At the

same time, the Leader of the Opposition was very friendly with a Left-wing trade unionist, that is, Mr. Slater, who was the secretary of the Postal Employees' Union. Only the other day, as a result, I understand, of the close collaboration between the Leader of the Opposition and his nominees (Mr. Kennedy and Mr. Slater), the date for increasing the postal charges from 10c to 18c a letter was arranged in order to save the Whitlam Government the embarrassment of including those extra charges in its Budget.

Mr. Lester: And to pay the account for his suits. A real sneak!

Mr. AIKENS: I do not regard anyone as a sneak. A man is either a straight-out stinker or he is not. Many A.L.P. members are straight-out stinkers. Some of them are very decent. We have an excellent fellow sitting at the end of the line here; there is none better than the honourable member for Sandgate in any respect. But he is a rare avis in the A.L.P. I don't know what he is doing in it. If the other members of the A.L.P. know how good he is, they'll not have him there very long.

In talking about the frightful, shocking condition of this country today, I shall get down to tin-tacks. I was born and bred in the A.L.P. when A.L.P. men were real A.L.P. men. The other day an interviewer on a TV programme asked me, "Mr. Aikens, if you become a Senator, don't you think you will be doing the wrong thing by taking the place of a Labor senator?" I said, "Where would you get a better Labor man than I?" Today there is a general misconception that unless a person is in the A.L.P. he is not a Labor man. But in actual fact many of the men in the A.L.P. today are not Labor men's bootlaces. They would not have been allowed within 100 yards of an A.L.P. meeting when I was in the A.L.P.

I remind this meeting that "Barramundi Jack" went to Mt. Isa when the big trouble was on a few years ago. At that time, Mr. Harry Harvey, a member of the Industrial Commission, was in charge of the arrangements for settlement. Harry Harvey came up right from the bottom of the Labor movement. On one occasion, when Egerton was sounding off to Harvey—I would not mind betting that the present Minister for Community and Welfare Services, who was then in charge of industrial matters has this on record—Harvey turned on Egerton and

said, "Shits like you wouldn't have been allowed near an A.L.P. meeting when I was in the A.L.P." Yet Egerton is the type of man who is controlling the A.L.P. today. I do not intend to ask the Minister to confirm that what I have said is true, but I bet he could turn it up if I asked him to.

Egerton is the man who, in order to get food for the Mt. Isa strikers, went to Karumba to catch barramundi. When he did not come back after a fortnight, they went looking for him and brought him back in the rear of a utility truck with bags and bags of big pink barramundi, all around him, but none that they could eat. From that day he became known as "Barramundi Jack". He incited the workers to industrial unrest, urging them to go on strike. Now his interest is in protecting all the cushy jobs he has from the Whitlam Government, bringing him in a higher salary in total than the Premier gets. As a matter of fact, compared to Jack Egerton's, the Premier's salary is that of a rag-picker or a pauper—or, as one A.L.P. man once said, a papaw. Men like him are running the A.L.P. today. These are the men who are telling the Leader of the Opposition whom he should nominate for this position and whom we should vote for.

If I may speak in international terms, only in England and Australia does the trade union movement, which means the trade union officials, control the Labor Party in politics. It does not happen in New Zealand, Canada, the United States of America or in any other democratic country. Only in England and in Australia are the trade unions affiliated with the Labor Party, and only in those two countries do the trade unions control the Labor Party.

What has happened in the two countries where the trade unions—that is, the militant trade union officials—control the Labor Party? England, once the greatest empire that the world has ever known, has today become the pauper and the scavenger of Europe, down on its knees, crawling and cringing and whingeing for hand-outs from other countries. Those of us who as boys at school knew what the British Empire was—knew of its wealth and its power, its affluence and its influence—can hardly believe that the England of our young days has become the England of today. That has happened only because of the emergence of the Labor Government.

When Lord Attlee, who was the first Labor Prime Minister after the last World War—he was really the first dinky-die Labor Prime Minister in England and had five or six years in office—was asked on his deathbed not so long ago what he regarded as his greatest mistake as a Labor Prime Minister of England, he said, “The introduction of the welfare State.”

That is the real trouble with this country. Everybody wants to put his hands into the common pool and take out as much money as his hands will hold, but nobody wants to put any money into it. Unless we face up to that fact, we will finish up where England is today—on our knees, financially and economically, and on our knees because of the greed, the avarice and the arrogance of the trade union officials.

As usual, I may walk out of this Chamber without registering a vote. I will walk out of the Chamber rather than put an A.L.P. man into the Senate. I owe that duty to the people who send me to the House—the enlightened people of Townsville South, which I would say is the most highly industrialised electorate in Queensland, if not in Australia. Yet for 12 consecutive elections they have turned down the best and strongest men the A.L.P. could put against me. They have sent me to this House, not to represent any particular faction or section, not to play party politics, not to indulge in shabby personalities, but to serve them as I think they should be served and to serve my beloved North Queensland. Because of that, I will not vote for any A.L.P. man to go into the Senate. It is bad enough and putrid enough as it is—in fact, the “P” in “A.L.P.” today stands for putridity—and I will not put another A.L.P. man in the Senate. We have two. We have Keffe and we have Georges. Good God, that’s enough for anybody. I am not going to put another Senator Georges or another Senator Keffe into the Senate.

Mr. PORTER (Toowong) (3.9 p.m.): I have no intention of referring to the personality of the nominee presented by the Leader of the Opposition today. However, I do want to refer to the fact that he is the A.L.P.’s nominee and the only nominee before the House.

It is pertinent for the Parliament to ask itself just what it is doing here today. What it is doing is exercising one of the major obligations that are clearly laid upon the States under the terms of the Australian Constitution. It is an obligation that the States cannot escape, and they should not want to escape it, anyhow. The obligation is to find someone to fill a casual vacancy in the Senate. We have to remember when doing this that the Senate is the Upper House of the Commonwealth Parliament. It is designed to be the House which protects, advances and represents the interests of the States. Anybody who argues that it has

not done that very well hitherto and that therefore we should not be concerned about that situation is of course somebody who is completely a wrecker. If hitherto the Senate has not performed as well as it should under the terms of the Constitution, it is the job of all of us to make it perform properly in those terms. I venture to say that since the Whitlam Government came to office the Senate has indeed been a State’s House. Thank God it has, or Australia would be in a much more parlous situation than it is at the present time.

We are certainly not here to be a rubber stamp for anybody. This sovereign Parliament is not here to automatically ratify a decision made by some outside body, whoever or whatever it is—unless we so wish it. If anybody wants to argue or suggest that we should do today what we did three or six years ago, let me say that we have a totally different ball game. We have a Government in Canberra that is trying to smash the Constitution, demolish the Federal system and totally restructure society, and, because of that situation, this State Parliament has to act differently from the way in which it acted on past occasions.

When presenting this sole Q.C.E. nominee to this Parliament the Leader of the Opposition said, “This is the only one you are going to get.” It may well be that he will get, in his turn, a little less than he perhaps hopes for and, in another way, a great deal more than perhaps he expects. Who knows?

I am not totally iconoclastic in this. I accept that, all things being equal, we should follow the normal usage; in other words, all things being equal, we in this Parliament should replace a departed senator with the nominee of the party that suffered the loss. I make it quite plain to the meeting that it is no more than usage. It is a device that the political parties have used to protect themselves against the slings and arrows of outrageous fortune. It is purely a matter between parties when they tacitly say to each other, “I will not jump your claim today when I have the opportunity to do so, in anticipation that you will not jump my claim when you have the opportunity to do so in the future.” That is all it is; it is a convenient arrangement between political parties. It has nothing to do with electors. Anybody who elevates that device to some sort of sacred procedure is seeing the thing totally in the wrong perspective. It is foolish for us to pontificate on this or to be ridiculously solemn about it. It is no more than convenient usage. It is not tradition; it is not constitutional convention; and it is not hallowed practice.

I made my attitude to this quite plain when the Premier of New South Wales appointed an independent senator. I see no reason whatever to abate that attitude one whit in this situation. This is no more and no less than an arrangement or a convenience

between political parties. It did not exist prior to 1949 when this hybrid version of proportional representation was introduced in the Senate. I know what I am talking about because, commencing in 1946, I ran the Queensland campaigns for the Liberal Party.

Mr. Marginson: You were not very good at it.

Mr. PORTER: I did reasonably well. After all, we got into office in 1949 and stayed there until a few years ago.

Prior to 1949 it was the custom to fill a Senate vacancy with a person who suited the desires of the Parliament of the State in which the vacancy occurred. It was not the exception; it was the custom to do it. It was only after proportional representation had begun to have the effect that it was extremely difficult for any party to get a majority in the Senate that this sort of practice that some of us want to regard as sacred convention came into general use.

Of course, in 1949, the A.L.P. only changed the Senate voting system to proportional representation to protect itself from the wrath to come. At that stage there were only 36 senators. We had three, and the Labor Party had 33. Because the Labor Party saw that under the old system this position was likely to be completely reversed, it hit on the device of a queer variant of proportional representation. Anybody who tries to sell the notion that this is a fine, splendid, hallowed political convention is either talking nonsense or talking with tongue in cheek. After all, this usage is less than 25 years old, and our Constitution is 75 years old. To suggest that this is some sort of magnificent convention is, I think, carrying sanctimonious virtue to the excessive point at which it becomes a very dangerous vice—and dangerous to people. That is what we should be concerned about.

To suggest that this Parliament has to accept, always and absolutely, a party nominee to fill a Senate vacancy is, for me, quite ludicrous. I find it completely inimical to the concept of a vital democracy. After all, the Constitution provides that this is a temporary appointment which holds only until the next Federal election of whatever kind it may be. This Parliament is only filling a temporary vacancy. At the next Federal poll, the people will decide whom they want. In the interim, this Parliament will make a decision, but it is an interim decision only. There is certainly nothing implicit or explicit in the Constitution. There is no gentleman's agreement. There is nothing else that requires us to accept an A.L.P. nominee.

Quite frankly, I regard it as a totally eccentric proposition that months, or perhaps even years, after an election we should, if a casual vacancy occurs, look at the situation as though the election had just taken place. In other words, we should

accept that the result of the last election, which is now history, exists like a fly preserved in amber—fixed, immutable and immovable for all time. That, of course, is absolute rubbish.

If this were a good principle, there would never be by-elections for the House of Representatives, or for any State House in Australia. All that we would do would be to ask the party that had lost a member to nominate someone else to take his place. This I regard as the absolute antithesis of real democracy. People should be given their choice as soon as possible. Under the Australian Constitution they are, and in the meantime the Parliament of the State which represents the people should make a choice. And if the Parliament wants it to be so, the operative word should be "choice".

We should remember that this particular A.L.P. nominee has been twice presented to the Queensland electorate as a Senate candidate, and he has been twice rejected. Last year he was in an eminently favourable position. In fact, he could not have been in a more favourable position. He was one of the first five in the team in a contest for 10 vacancies in an election in which, unless things were quite abnormal for the Labor Party, it should have obtained five seats. But this nominee was decisively rejected by the electorate last year. Queensland was the only State in Australia in which the Labor Party secured only four Senate seats and my side of politics secured six. What right then has this Parliament to now foist on the electors, by a back-door method, a person whom they have twice decisively rejected? It just does not make sense.

I can accept this as a form of usage in order to keep a rough balance between parties, all things being equal, in terms of casual Senate vacancies. But what is equal about the political situation today? What is equal when there is in Canberra a Government that uses every dirty trick and back-door stratagem to put itself in a position of almost monolithic power?

The Leader of the Opposition, when he introduced his nomination, sanctimoniously spoke about convention. Yet he represents a party which in the Federal sphere has swept aside convention after convention, a party which has lied, tricked and double-crossed from the time it first got into office. One would expect a little more from the Leader of the Opposition than an attempt to sell us the notion that something is a solemn convention to which we must adhere when the whole record of his side of politics over recent years has been an abandonment of every pretence of holding to agreements or conventions of any sort. I certainly find nothing equal about a Government in Canberra which is obsessed with instituting a new socialism in our time, with smashing the Federal system and with bypassing constitutional safeguards.

Mr. K. J. Hooper: What's wrong with that?

Mr. PORTER: The honourable member for Lytton asks, "What's wrong with that?" Let me reply by saying that he may think it is all right but the Australian electorate has turned it down in every case where there has been a test. He comes into this Chamber as a member of a rabble of 11 members, the remnant of a once strong Labor Party in Queensland. Honourable members opposite are the victims of the electorate which will not have a bar of this sort of socialism.

Mr. BURNS: I rise to a point of order. The honourable member has attributed to me a remark I did not make. I would not like to have recorded in "Hansard" attacks made upon me for words I did not utter.

Mr. PORTER: I apologise; it was the honourable member for Archerfield. But am I to take the interjection of the Leader of the Opposition to suggest that he does not believe in socialism? Is that what he wants to imply? Does he want to opt out? Does he want to say he does not believe in the A.L.P. policy?

Mr. Burns: You answer that. You've got socialism in this State.

Mr. PORTER: Let us leave it at that. It is quite obvious that the honourable gentleman is trying to stand on two stools which are moving apart and he is falling into the space in between.

Mr. Marginson interjected.

Mr. SPEAKER: Order! I have asked for co-operation. If honourable members persist with interjections, I will have to name them.

Mr. PORTER: I am sorry if we upset honourable members opposite, but this is a very serious matter. A tremendous principle is involved here and it is important that the Committee sees it in the proper perspective. There is nothing equal when we have a Government in Canberra which is obsessed, as I say, with this idea of socialism, which bypasses all the constitutional safeguards by using its advantageous financial position and which breaks compacts and agreements whenever it wishes. What is equal when we have Mr. Whitlam as Prime Minister aiming to pack the Senate so that he can get a majority by putting into the Senate, which should be a States' House, non-State representatives for the Australian Capital Territory and the Northern Territory?

I suggest that those who believe we should be mealy-mouthed and lily-livered in our approach to this question from our side of politics want to understand this: politics has changed since December 1972. We are not engaged in any polite tea-party dialogue any

more, where all the niceties have to be scrupulously observed, where we fight under the Marquis of Queensberry's rules and allow our opponents to fight under dog and goanna rules. Things have changed. Politics in Australia today is literally total war. It is a political war for survival of participatory democracy and individual freedom and this is what the electorate understand. This is where their great apprehensions lie and they look to us to support and sustain them against this threat.

So I say that this matter of a Senate replacement, a casual vacancy, is not a matter for determination along effete, over-mannered, over-pious lines. There is much more at stake here than aggrandizement of any one party against another and there is certainly much more at stake than the furtherance of the personal ambitions of anybody at all. This is a crunch issue which has to be resolved in a full-blooded resolute way. It has to be resolved on behalf of all Australians as well as Queenslanders. I want to make my situation quite clear because I might well be one of those who will have to walk out as my distinguished friend from Townsville has threatened to do.

I see no warrant at all, in today's political circumstances, for this Parliament to docilely accept an A.L.P. nominee, and certainly not this particular nominee who has said—and he is on record as having said this at a political meeting in a hall not very far from this place, during the last election campaign—that he would go down to the Senate, if he were elected, with the express aim of implementing the A.L.P. platform and helping to destroy the Senate.

After all, Mr. Speaker, let us bear in mind the facts of the matter and balance them against the nonsense that is spoken from the Opposition benches. I have here a copy of the platform of the Australian Labor Party. In section 4 of the Constitution and Rules, clause 2, item 3 says, "Abolish the Senate." I believe that this Parliament is entitled, if it is asked to send somebody down to represent it in the States' House, to get from the nominee a written undertaking that he will represent the State in that House. For anybody to suggest that we should just blandly go along and rubber-stamp this nominee who has said that he will destroy the Senate is a great piece of nonsense. Somebody who will destroy the States' House! Are we to be asked to introduce a Trojan horse into the Senate that is there as part of the Australian Constitution and designed to protect us? We would be ninnyes or nongs if we were readily prepared to do that. Worse, we would be willing accomplices to our own and Australia's parliamentary destruction, and I, for one, will not be part of it.

Opposition Members interjected.

Mr. PORTER: I have views that may not be shared by some of my colleagues, and they are entitled to their views. But my views are clear and unequivocal. I have held them for a long time and I have no doubt where the electorate stands in regard to those views. I, Sir, am one of those who are very willing to stand up and be counted at any time, because I see this as an issue, in the state of politics today, that transcends mere usage—and that is all that this proposition that we must do what was done in the past is.

I see it as something that goes well beyond the considerations of party-political advantage. I concede that if we do not appoint an A.L.P. nominee today, it may well be that an A.L.P. Government in the future may appoint a non-Liberal-National Party nominee at a time when it would hurt us. But for my money the peril facing Australia today is so great, so acute, that we have to be concerned with survival now—no survival, and these other smaller issues will take care of themselves. So the political survival of the way of life in which we believe and for which our political party stands transcends every other consideration.

I see it as an issue on which political courage and realism on behalf of the people of this State and of Australia must be demonstrated today in this Parliament. I cannot see anything in current circumstances warranting the support of one A.L.P. nominee. I see no virtue whatever in any argument that puts narrow party advantage, even if it is my own party's advantage, ahead of the need to cope with the danger that I see as so malignant and so sinister as to threaten, as I have said, all that we stand for—the whole system of economic, social and political structure that we have in this country.

So I strongly urge this sovereign Parliament not to turn aside from the charge that the Australian Constitution clearly lays upon it, and I urge the Parliament to think much more of people than it does of parties, and to remember that it is required to make a choice—again the mere use of the word "choice" implies selecting from more than one nominee—if that is what the Parliament wants. I certainly ask the Parliament to refuse absolutely to allow any outside body to dictate to it in any shape or form what it must do.

Mr. MELLOY (Nudgee) (3.30 p.m.): I rise to support the nomination of Dr. Mal Colston. I do so as a matter of principle, because what we have to do today is not elect a senator but appoint a replacement to the Senate following the vacancy caused by the death of the late Senator Bert Milliner. We are not electing a senator; we are here to uphold the decision of the people of Queensland as indicated by them when they elected Bert Milliner to represent them as senator for six years. We are not here to decide what the political complexion of the replacement should be. That was decided for us earlier by the people of Queensland. The election of Senator Bert Milliner represented the will of the people at that time. Unfortunately, however, he died, and this Parliament has been given the responsibility of electing a replacement in accordance with the will of the people as it was indicated at the last Senate election.

We of the Australian Labor Party have the right to nominate Mal Colston as a replacement. When my party contests any election it is not required to give the people a choice of three or four Labor candidates for one seat. It selects only one candidate, as does every other party that is contesting the election. Why then on this occasion should we be asked to submit the names of three nominees? The Australian Labor Party has made its selection democratically and in the best interests of the people of Queensland.

I wish to comment on the contribution of the member for Belmont. As this meeting is not a sitting of the House, perhaps I do not have to refer to him as the "honourable member" for Belmont, and I therefore refer to him as the "member" for Belmont. It is remarkable how low people can sink when they are strongly influenced by their political prejudices. We have seen an indication of that today. The member made no attempt to justify his stand in opposition to Dr. Mal Colston. He merely set out to try to destroy the character of Dr. Colston. I suppose that we should dismiss his contribution with contempt, but we cannot do that because I do not think his comments were coincidental or accidental. They were made deliberately. As he was the first speaker for the Government parties we have to accept the fact that he spoke on behalf of the Government parties.

Opposition Members interjected.

Mr. MELLOY: They certainly sold him a dump, all right. I do not know whether his heart was in it or not. I could see members of Cabinet sitting in their seats like old ladies, drawing up their skirts and looking with disdain at the member for Belmont, thinking to themselves, "We wouldn't say things like that." But they made sure those things were said!

What did the member for Belmont say? He tried to trump up a charge against the character of Dr. Mal Colston. He laid no charge but unleashed upon the Chamber a series of innuendoes concerning the activities of Dr. Colston as a school-teacher. What justification did he have for making those statements? He made a most reprehensible, dastardly, low, filthy attack—entirely without foundation. There was no substance whatever in the imputations that he tried to level at Dr. Mal Colston, who, after all, for many years subsequent to the period to which the member for Belmont was referring was accepted as a public servant in this State. He was accepted as an officer in the Police Force.

The people who investigated these matters referred to by the honourable member for Belmont would be aware, presumably, of what happened. Yet, they believed that Dr. Colston was a suitable person for employment in the Police Department.

Mr. Yewdale: He would have been investigated by the Public Service Department.

Mr. MELLOY: He would have been, and if it had found any evidence to support the claims he would not have been appointed to any position in the State Service.

Mr. Marginson: How low can you get?

Mr. MELLOY: How low can a Government member sink to try to justify his political prejudices? On this occasion we should not be indulging in political prejudice. We are here to carry out the will of the people, who made it quite clear at the last Senate election that they wanted six Country or Liberal Party senators and four A.L.P. senators. We are charged with the responsibility of replacing one A.L.P. senator, who, unfortunately, died. We are here in an administrative capacity to replace that senator.

Just as a political party has the right at election time to select its candidate, so, too,

on this occasion does it have the responsibility of selecting a nominee. That is what the A.L.P. has done, in a democratic way, and it is the duty of this meeting to select the person whose name has been submitted.

The honourable member for Toowong said that the selection of a replacement senator has been a matter for convenient arrangement over the years between parties; that, as occasions arise, the parties say, "You will support our candidate and on a subsequent occasion, if necessary, we will support your candidate." This is not an arrangement. Rather it is a continuation of the expression of the will of the people relative to the political parties concerned. We are carrying out the will of the people.

The honourable member for Toowong said also that today politics is war. That remark is typical of the honourable member, who on many occasions has displayed himself as a warmonger. He is quite satisfied to create a war-like situation in politics. We do not agree with him. We believe that politics is a field for men of sound common sense. That is the basis of the politics of the Australian Labor Party.

The case submitted by the member for Belmont was ridiculous. He tried to substantiate his claim by reading from a report, which, incidentally, he did not table. I should like to look at it to check his claims. Apparently there was no evidence against Mal Colston, yet the member for Belmont set out to imply that he was tried and found guilty; hung, drawn and quartered; and was not a suitable person for appointment as a senator. But in the last 15 years he has been accepted as a member of the Queensland Public Service and as an employee of the Queensland Police Force. I solidly support his nomination.

Mr. W. D. HEWITT (Chatsworth) (3.40 p.m.): The honourable member for Toowong said that those who believe that this convention must be honoured scrupulously talk nonsense, have their tongues in their cheeks, engage in sanctimonious virtue and advance eccentric propositions. If that is the charge, I plead guilty. I plead guilty unashamedly. I believe there is a convention involved—a convention that has evolved over the years, a convention that should be honoured. For my part, this afternoon it will be honoured. I believe that, if that convention is not honoured, we will impose upon our Federal parliamentary system a continuing threat of

instability every time the angel of death intervenes. If there are those who believe that that should happen, they are entitled to their judgment; but I will have no part of it.

Before I proceed further, Mr. Speaker, I wish to say a few words about the death that has caused today's proceedings. I knew the late Bert Milliner in a casual sort of way for some 20 years. I respected his integrity. I respected his application to the task. I lament his passing in the way I lament the death of any person who comes to the end of his career and is not spared to enjoy a well-deserved retirement. Therefore, I extend my sympathy to his bereaved family. I say to them that the man I knew I respected very much.

It would not be inappropriate to make some passing comment to the last respects paid to him and the intervention of representatives of the media. Our friends in the media take unto themselves the luxury of criticising us whenever they think we do the wrong thing, and I do not think we should deny ourselves the same luxury when we think they do the wrong thing. I believe that the conduct of the media at that late gentleman's funeral was quite deplorable. I associate myself totally with all of the criticisms that have been expressed about the behaviour of the media on that day. I would hope that in retrospect they would look back on it and say, "We dented our escutcheon. In future we should behave a little better."

We convene this afternoon consistent with the demands imposed upon us by section 15 of the Australian Constitution, which calls upon a State Parliament to convene and appoint a successor when a vacancy occurs in the Senate. It is terribly important to recognise that the obligation is imposed upon the Parliament and not upon the Government. Quite deliberately the Constitution bypasses the Government. The message from the Governor-General to the Governor and then from him to the Speaker does not involve the Government in any way at all. The Government is called upon to act only if the vacancy occurs during a parliamentary recess, as happened when Senator Heatley was appointed. Under those circumstances the Government can make an appointment on the firm understanding that at an early opportunity the Parliament will meet to ratify its action or vote against it. However, if the Parliament is in session, the Government is not even called upon to make the

appointment. It is the obligation of the Parliament.

So this is one of those few exquisite moments in the life of the Parliament when we are in charge of our own destiny, when we make up our own minds, when we do not look to the Government for any guidance at all. I say with great respect to each and every member of the Ministry that on this occasion they are equal, but not more than equal, to every other member in the Chamber. I think that is important.

Since 1949 particularly, a convention has evolved whereby a vacancy, when it occurs, is filled by a person of the same political ilk. There are now those who say, "It is nothing more than a convention. It is nothing to worry about. It has been a matter of convenience. We can lightly and easily sweep it aside." It makes me infinitely sad when Liberals talk that way. I expand that and say that it makes me infinitely sad when people belonging to non-Labor parties speak that way.

We pride ourselves on being great traditionalists. We pride ourselves on veering towards the conservative side of politics. We say constantly that we do not lightly push conventions and traditions aside unless we have something useful to put in their place.

I remind those who would lightly say that it is only convention that in Parliament itself many procedures are nothing more than conventions. In point of fact, Cabinet government itself is only a convention. I wonder which of the 18 Ministers would like to lead the assault upon that convention. I do not associate myself in any way at all with those who say that it is only a convention. I believe that it is a respected and honoured practice to this day, dented only once—by Mr. Lewis in New South Wales.

I reflect on that for a moment also. I took a point of view contrary to that of my colleagues who applauded that move. I deplored it and I still deplore it. As I deplored the action of Mr. Lewis, I was also infinitely sad in that every last non-Labor member in the New South Wales Parliament endorsed his point of view. It had the opportunity, as we have today, to perform as a Parliament, and it missed the opportunity. I thought it was infinitely sad that not one member of the New South Wales Parliament could take a contrary point of view or could see that there was

some convention involved and, importantly, that Parliament in its purest sense was also involved.

This is what worries me most of all about the non-observance of this convention. We have, for better or for worse, a finely balanced Senate. It is a finely balanced Senate because it reflects the voting trend of the people. I have always worried that we have too many factors that create instability in our federal system. It is, first of all, a Parliament of only three years' duration, and I would happily see the national Parliament elected for five years.

But, if that three-year life is short enough these days, because the Federal Houses are out of balance, every other 18 months either the full House of Representatives or half the Senate goes to the country and so the national Government, of whatever complexion it might be, has to rejustify itself in effect every 18 months. On top of that, if we now say that no convention is to be rigidly observed, the fine balance of the Senate could be disturbed every time the angel of death intrudes. I do not believe that that is the way it should be. I believe that the incumbent, whatever his politics, should be replaced with a person of like politics.

There are those who say that these are strange and unusual times. That is undoubtedly true, but it is nevertheless also true that the persons who died enjoyed a certain support from the electorate. It is therefore right and proper that a person from his party should take his place.

I again refer to section 15 of the Constitution because it places the party involved at a disadvantage. It has placed the Australian Labor Party at a disadvantage on this occasion. The senator who died was a long-term senator. He would not have been going to the country at the half-Senate election next year. He would have had another three years to go. But section 15 says that the replacement, when he is appointed by the State Parliament, will submit himself to the will of the people at the next election, be it House of Representatives, full Senate or half Senate. So therefore the Constitution itself imposes a disability upon the party affected and it could be that the founding fathers, in their infinite wisdom, certainly had this in mind. To my way of thinking a convention is involved; it is one that should be respected and I intend to respect it.

We have before us one nomination—that of Dr. Malcolm Colston. His credentials have been presented, and I can find no reason to say that he is not an acceptable person. I do not want to be unkind, but I am bound to say that I think that, as a person, he is as dull as ditch-water and totally uninspiring. However, that cannot be held against a person when he is running for public office. It is not our fault if the Labor Party can produce only candidates who are so lacklustre. That is their problem, not ours. Nevertheless, in pure terms nothing yet has been established to his detriment as a parliamentary candidate and, because of my strong feeling on this established convention, I accept his candidature and indicate that I will be supporting him this afternoon.

Mr. LAMONT (South Brisbane) (3.51 p.m.): I have been in this Parliament only this year, but I think that in that time I have proven myself to be one of those naive people who believe that parliamentary democracy should at least be given a chance to survive. I believe that our conduct in this House should not be dictated by vested, immediate but temporary interests; rather it should be guided by just, time-honoured and enduring principles of the system of Government that we embrace.

Mr. Bjelke-Petersen: It should apply to both sides; don't forget that.

Mr. LAMONT: I accept the Premier's interjection, but I also believe that we should not take as our exemplars and our mentors, men of lesser stature.

A colleague speaking earlier said that this was a totally different ball game, and he spoke of total war. Do we change the Constitution merely because of a change of fortune? If that is what is meant by "total war", I suggest that my colleague was implying political anarchy. If there is a bad Government (and by God I believe we have a bad Government in Canberra!), there is a remedy provided and that is to have an election. But such a remedy is not the prerogative of this House; it is in the hands of either the Prime Minister or the Federal Leader of the Opposition and their advisers. It is not our prerogative to make their decisions for them.

I think it is high time that many of the supporters of the Liberal Party and the National Party realise that we cannot govern Australia from the Queensland Parliament,

much as that might be a preferable form of government; nor can we govern the country from the Opposition benches of the Senate. I am a little disappointed that men who I thought stood for political and parliamentary reform, and whom I have looked up to in the last 15 years of my membership of the Liberal Party, are prepared as political reformers nevertheless to ignore a convention merely because they find it distasteful. One cannot uphold some political institutions and, because they happen to be distasteful, not accept others. Some rules will always be distasteful; but that is what rules are for.

The Deputy Leader of the Opposition said that we are here this afternoon in a somewhat administrative capacity. Although that is probably not absolutely correct in a constitutional sense, nevertheless it describes pretty well what I think ought to be our attitude. We are here to select a man to replace one who did a certain job in a certain way. We are here to replace Senator Milliner with another who will carry out his work, not the will of the majority of this Parliament.

Mr. Aikens: Do you believe you should be told whom you should select to replace him?

Mr. LAMONT: I shall come to that in a moment. No one is telling me what to do. I think it would be a great shame if the people of Queensland misunderstood what some of my colleagues have been suggesting. I think it would be a great shame if people, even erroneously, drew the conclusion that any of us here were wanting to make political capital out of the death of an honourable senator of this State. That would be the height of political cynicism.

Mr. Hartwig: What about Gair? Tell us about Gair.

Mr. LAMONT: Our leader, the Premier, has already made that point, and I have said it would be wrong for us to accept as exemplars people of far lesser stature, people of far lesser principles. Merely because they do it, that is no excuse for us to lower our standards.

Conventions cannot be put aside lightly. My colleague the honourable member for Toowong queried whether or not the principle we are discussing is in fact a convention, because he said it is not as old as the Constitution. Let us put that out of the road for a start. You know and I know,

Mr. Speaker, that a convention does not have to be the same age as the written Constitution. If it were, it would in fact have been incorporated in the original written Constitution. A convention is something which attaches itself to a Constitution because it is deemed proper and is tried and tested over a number of years; and I believe this convention fits that category. That does not mean I accept everything that has been said by the Opposition here today.

The Leader of the Opposition said that we would be making a mockery of democracy in the Senate if we were not to elect Dr. Colston. A mockery of democracy in the Senate, indeed! The Leader of the Parliamentary Labor Party in the Federal House attempted to fiddle the numbers in the Senate by appealing to an old man's vanity. On a second occasion he appealed to the vanity of a mediocre lawyer to fiddle the numbers on the judiciary. As Leader of the Parliament of this country he has appointed his own cronies as permanent heads of departments in Canberra. He has done all of these things, but as I said, we do not take men of lesser stature, with their low standards, as our mentors.

I have colleagues who regard themselves as purists and political reformers. If they do not support this parliamentary convention here today, I hope they will not come to me and seek my support for their political and parliamentary reforms in the same way as they have in the past. There have been departures from established Westminster procedure and they have been departures brought about by the jiggery-pokery and the wheeling and dealing of the Whitlam Government. But that is no excuse for us to depart from the convention. There are two systems we can choose from here today. We can choose the Whitlam system of disrespect for the Constitution and its conventions or we can choose the Westminster system which is tried and has proved itself.

Mr. Chinchin: There is nothing laid down in the Westminster system about this.

Mr. LAMONT: We in this country have followed the Westminster system and the convention that we are discussing today is a convention within that system although it may not apply specifically to England, simply because England has not a federal system—

Mr. SPEAKER: Order! The honourable member will address the Chair.

Mr. LAMONT: There seems to be a query as to whether or not the federation of Australia exists within the Westminster system.

Mr. Chinchin: What are you talking about?

Mr. LAMONT: I will not bother to go ahead with a lecture on this matter. I refer my colleague to the library.

My colleague from Toowong has established that many of us feel a repugnance at the manner of Dr. Colston's nomination but I put it to honourable members that the mechanics of Dr. Colston's nomination are irrelevant. The fact that he may be the friend of Mr. Lourigan or the choice of Mr. Egerton or some other outside source does not matter here. We are asked to choose whether or not we will have the Labor Party's nomination. It would appear that the elected representatives of that part of the public that support the Labor Party are unanimous on this. The fact that their unanimity may come about because of their political naivety or their blindness or that they came to a decision which we find repugnant is irrelevant.

In any case, I am told that Dr. Colston is not really the choice of the Q.C.E. He is one of those silver-tails who represent a totally new type of party and, as our colleague from Townsville South said, they are not fit to lick the boots of those who used to be decent representatives of the working class. But that is all irrelevant. All of that I concede and all of that is irrelevant. If they want to accept outside direction, that is their business. That fact should not deter us from selecting the candidate that they, the elected representatives of the Labor forces and the Labor public, have unanimously put up to us.

I refer my own colleagues to a resolution put up by the Labor Party in the Senate, amended slightly by the Liberal and National-Country Party senators and then supported unanimously by all at the time of Senator Murphy's demise—that the conventions should be followed. Under the circumstances that prevailed then, and although there was a deliberate fiddling of the numbers of the Senate, nevertheless the Liberal and National-Country Party senators decided that the conventions should at least be respected by our side. And so I appeal

to my colleagues on this occasion, which has been brought about by the death of a senator, and suggest to them that the conventions should be supported even more so.

The problem that we are discussing here, Mr. Speaker, is a problem this afternoon for this State Parliament; but it is a problem for our own senators well beyond this afternoon, and we cannot expect the President of the Senate and the Labor majority down in Canberra to respect parliamentary procedures and to give consideration to our own parliamentarians in Canberra while they have the majority there and while their man is President of the Senate if in fact we do not proceed in an unbiased fashion in respect of parliamentary procedures here this afternoon.

But that is a pragmatic reason; it is not the reason upon which I make my appeal. I am asking honourable members to do the right thing simply because it is the right thing and because conventions ought to be respected, and we cannot dispute that this is a convention within our parliamentary system. If Dr. Colston is the best choice of the A.L.P., then it seems obvious that he must be the best of a bad lot. But that is beside the point. I do not want to associate myself, either, with the calling into question of Dr. Colston's personal character by my colleague from Belmont. I am a little disappointed in that regard because proof was not offered. The honourable member for Belmont knows, and he will stand up in this Chamber on many occasions, as he has in the past, and assure honourable members of it, that a person is innocent until proven guilty, and he will decry any system in this country under which a man sometimes is not regarded in that way. The absence of proof, therefore, causes me to wipe that charge completely out of hand. I cannot consider it, as no proof was given.

So it is not out of a liking for Dr. Colston and it is certainly not out of a liking for the Australian Labor Party that I make my appeal. It is out of a respect for the tradition and principles of the Westminster system of parliamentary democracy, which I hope will be here long after the Australian Labor Party is dead, gone and buried. It is for that reason that I intend to join my colleague from Chatsworth and support the nomination, and I ask my parliamentary colleagues not to see parliamentary democracy put aside for cheap, short-term profit.

Mr. CASEY (Mackay) (4.3 p.m.): As has been pointed out quite often in the debate this afternoon, members are really meeting here not as a Parliament but as a group of parliamentarians with the task of selecting a Senate replacement.

That task is given to us under the Constitution, which, of course, is the legal standard under which the nation as a whole operates. Within that framework, as was pointed out by the honourable member for Chatsworth, come the Crown, the Parliament and the people. Over the years, by way of convention—by way of practical convention, I might add—and the way in which things are allowed to operate, we have seen the evolution of political parties in the sphere of Parliament. We have seen their workings and operations under different forms and different methods of government. Nonetheless, clearly shining through at all times has been the principle that it is the absolute responsibility of every elected parliamentarian, as the middle person in the three-tier structure, to ensure that that system of Crown, Parliament and people is maintained unblemished. So we are here today as Queensland parliamentarians, and our main task is to discharge our responsibility to the people of this State.

I am in a far more fortunate position, perhaps, than most members in this Chamber today, because I am here as a parliamentarian not through the support of a particular political party but in my own right as a person elected by my constituency. I have always made it quite clear to the people of my electorate of Mackay that I am a representative in three spheres. Firstly I am their elected representative in this Parliament; secondly I am an elected representative for the people of North Queensland—people who have been disadvantaged over a number of years, and considerably more so by the present State Government—and thirdly, I represent the people of Queensland. It is in that last sphere that I am called upon today to decide whether to vote for the acceptance or the rejection of the nomination put before the meeting.

Speaking of choice, I should like to remind all honourable members that it was not by the choice of Bert Milliner that he was taken from us, nor was it the choice of this Parliament or even the choice of the Senate. It was the choice of someone far above each and every one of us.

I knew Bert Milliner well over the years. I knew him personally from right back in the days when he was an organiser and official for the Printing and Allied Trades Union. He was known and admired throughout the length and breadth of the State. One colossal thing about him was that he was known personally and did know personally every one in his trade from the oldest printer to the youngest apprentice wherever he went

throughout the State as part of his duties as a union official. I had a great deal of time for him and I was saddened by his early departure. He was very well respected in all political circles in this State. You, Mr. Deputy Speaker, paid tribute to him. He did a great job for the A.L.P. In fact, there are some in this State who would say that if Bert Milliner had remained as President of the A.L.P. in Queensland and not gone into the Senate, the events of 1971 and 1972, which led to the downhill run of the A.L.P. in Queensland, might not have occurred. I think that is fair comment. Many honourable members, including some on the Government side, would appreciate that, had it not been for those events in those years, there was a strong probability that the A.L.P. would have become the Government in Queensland at the 1972 State election.

Mr. Newbery: That is wishful thinking.

Mr. CASEY: The honourable member for Mirani was getting a bit worried in his electorate when things blew up at that stage.

Government Members interjected.

Mr. CASEY: Government members are interjecting now. I make no bones about it. When I was first elected to this Parliament I was elected as an A.L.P. representative. I was elected because I held dear to me certain Labor principles. I still hold those principles dear. I have never departed from the traditions which I supported and followed. I have always referred to myself as an independent Labor representative, both inside and outside of this Parliament. I have never endeavoured to run away from that. The Premier and Deputy Premier know that and have always known it. The honourable member for Mirani knows it, too. I will never run away from those principles that I have held all my life. I have continued to follow that line in Parliament and outside Parliament, and I will continue to do so.

Mr. Bjelke-Petersen: Why wouldn't they have you?

Mr. Newbery interjected.

Mr. CASEY: There is a vociferous person behind the Premier. If the Premier asks why people would not have certain other people, we might speculate why members of the National Party were not going to have him as their leader in 1970. It was the man who was interjecting behind the Premier who helped to save him on that occasion. That is why he is a member of Cabinet today.

Honourable Members interjected.

Mr. DEPUTY SPEAKER (Mr. W. D. Hewitt): Order! The meeting will come to order. I am finding it hard to understand how the honourable member relates his comments to the election of a senator.

Mr. CASEY: I am sorry, Mr. Deputy Speaker. Perhaps I was carried away by some of the interjections.

One thing I would like to make clear is that I support one comment made by the honourable member for Townsville South. I am not a supporter of the Senate. On the last occasion we had to fill a casual vacancy in the Senate I did not bother to come down to Brisbane. In any event, at that stage we did not get enough for air fares and it would have cost me \$100 out of my own pocket to come down to put a rubber stamp on what was then the Liberal Party's nomination.

Mr. Wright: A single nominee.

Mr. CASEY: The only nominee.

On this occasion other nominations could have been submitted. Despite recent Press comments no other nominations have come forward.

The Senate is a House of obstruction, an absolute waste of time and money, from which nothing substantial emanates.

Mr. Moore interjected.

Mr. CASEY: The honourable member for Windsor referred to socialism, yet it seems that he and the Government intend to support a socialist authority today. The electric light authority is a socialist enterprise. Does he support it or not?

If the honourable member for Windsor and other members of political parties wish to do something clear and strong to benefit Queensland and Australia as a whole, let them initiate or support moves to abolish the Senate from the Australian political scene. We would be far better off without it. Since 1922 we have done quite well in Queensland without a so-called House of Review. I see no reason why we should not do as well in the Commonwealth sphere, because it has been admitted in this debate by many honourable members (Government speakers included), that the Senate has never carried out its proper task as a States' House. As the honourable member for Windsor is a strong advocate in his own party who is able to exert a certain influence in the Chamber, I suggest that he initiate moves in his own party to abolish the Senate.

I join with those honourable members who have deplored the misuse of privilege in this Chamber to deliberately smear the person who has been nominated. Reference was made to arson. I could mention names hell, west and crooked in the same context. The honourable member for Mirani well knows that a former Cabinet Minister who sat on the benches with the present Government was nicknamed "Firestick" as a young man, and that stuck to him throughout his life. It followed him wherever he went. Despite that, nobody held it against him. It was used jocularly by people when they spoke to him, but it was never used in this

Assembly. I deplore the attack which was made by the honourable member for Belmont today.

There has been talk of additional nominees by various parties. If a House of Representatives election were to be held before the next Senate election, the people of Queensland would have an opportunity to make their choice and only one nominee would be put forward by the various political parties.

I suppose that the biggest mistake the A.L.P. made for many years is again hanging over its head today. I speak of when it allowed itself to be bluffed by Frank Nicklin in 1965, when Alf Arnell's name was put forward. At that time, as a member of the A.L.P., I said very strongly in my own area that the A.L.P. should have stuck to its decision and supported Alf Arnell, its only nominee. I feel strongly that the A.L.P. has the right to put forward only one nominee. We have a choice as parliamentarians and persons. I intend to do what I believe to be right for Queensland and support the nomination of Mal Colston.

Mr. DOUMANY (Kurilpa) (4.14 p.m.): Mr. Deputy Speaker—

Mr. MURRAY: I rise to a point of order. I refer you, Mr. Deputy Speaker, to Standing Order 331 (b), which I think is important. If we are to observe conventions, surely we must adhere to Standing Orders and this one provides—

"Such meeting shall be presided over by the Speaker, or, in his absence, then by some Member chosen at the meeting to preside."

That is quite clear. This is not Parliament; it is a meeting. I am not splitting straws.

Mr. DEPUTY SPEAKER (Mr. W. D. Hewitt): Order! I take the honourable member's point. I shall draw Mr. Speaker's attention to the Standing Order forthwith. I thank the honourable member for Clayfield.

Mr. DOUMANY: We have heard much today about conventions, about parliamentary democracy, about the Westminster system and about many other abstract considerations; but let us return to the realities. We live in a federation. We have a federal system of government. I am unashamedly a federalist. I deplore those innuendoes that have come from various honourable members about the role of the Senate. I believe that any member of this Parliament who does not believe the Senate should exist—who believes it is worthless—should get out of the Chamber forthwith. No-one has a right to vote on a nomination when he does not believe in the office concerned.

The States are an integral part of the Federal system. It seems that that point is lost on so many contemporary political and pseudo-political scientists. Under the Federal

Constitution—and I say this for the benefit of honourable members opposite—the right of each one of us in this Chamber is equivalent to that of any other parliamentarian within the federation. That is very important. I am fed up to the back teeth with the subordination of State Chambers to central government, with the implication that they are less important and that they are not entitled to have a point of view.

Mr. Aikens: Speak up.

Mr. DOUMANY: Certainly I will speak up, because we have something to speak up for.

Under the Constitution, in the circumstances of the untimely and unfortunate death of the late senator, and in other similar circumstances where a vacancy occurs, the appropriate State Parliament is given the responsibility and the authority to appoint a replacement. I accept that it is convention—and it is sensible convention—that that appointment should derive from the party of the departed senator. However, I return to the very important principle that under this mechanism the State Parliament has the right of choice. That means that each one of us has a choice. As you yourself said in your speech, Mr. Deputy Speaker, each one of us as a member of this Parliament has an equal right in the determination of this issue. That is a very important principle. I accept it wholeheartedly. I stress that the choice lies with the Parliament because the Parliament represents the people of this State. Under the Constitution this Parliament is acting for the people of the State in making the choice of the replacement.

It is an important principle, too, as you yourself said, Mr. Deputy Speaker, prior to taking the chair in this debate, that immediately following the action of this Parliament the replacement senator will face the polls. That confirms that the Queensland Parliament today has the right of choice and no-one can be foisted onto it.

I point out to honourable members something that is perhaps a digression but which, by coincidence, goes to the very nub of the issue. On page 15 of today's "Financial Review" is an advertisement. I will not bother mentioning whose advertisement it is. The caption reads, "A choice of one is no choice at all." For the benefit of the Leader of the Opposition I repeat it—"A choice of one is no choice at all." I took great exception to his rather blase and contemptuous laying down of the law to us at the beginning of this debate when he said, "That is all you will get." I for one, as an elected member of this Parliament, will not accept that sort of dictation from the Leader of the Opposition when I know that it has come from the very source of zero choice.

Let me discuss the word "choice" a little further. There is a very important distinction between the two sides of this Chamber. Mr. Deputy Speaker, as you

indicated in your speech before taking the chair, if you or the honourable member for South Brisbane or any other Government member chooses to vote with the members of the Opposition on this issue should a vote come to pass, you are at liberty to do so without prejudice to your position because we on this side of the Chamber preserve the principle of choice in our political philosophy.

That is the principle we asked for weeks ago and there was acknowledgement by the Leader of the Opposition of what the Premier had asked for weeks ago on behalf of the joint parties. He acknowledged that we asked for a panel of three candidates from the A.L.P. There was no suggestion from the Premier that we would appoint a candidate of another political colour, but we wanted a panel and all we got from the Opposition were the usual innuendoes and screaming.

If one member of the Opposition dared to cross the floor, he would be expelled; and he knows it. Opposition members know that not one other person in the A.L.P. could nominate because, if he wanted to contest this vacancy, he would be faced with expulsion. That is the big difference between the two sides of this Chamber.

This State Parliament has the choice. Every member here has a choice as an individual member. I deplore any move to railroad us into taking any particular line of action. As a member of this Parliament, I want a choice; and I am not being given a choice when only one nominee is submitted.

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (4.23 p.m.): We have had a number of interesting speeches this afternoon on this very important issue. I do not think there has been any suggestion or talk in terms of a candidate other than a Labor candidate. There has been no discussion or argument as such, as far as I am concerned, on character, ability or anything of that nature.

Mr. Aikens: They want us to accept as a meal a few scraps thrown to us from the A.L.P. table.

Mr. BJELKE-PETERSEN: The honourable member has described it in one particular way. Whether we can call one nomination some scraps, I do not know.

The Leader of the Opposition pointed out—and I shall deal with this further in a moment—that I, as Premier, on behalf of Cabinet and the Government, asked for a panel of three names. The Deputy Speaker is entitled to his own views and I accept the views expressed by one other Government member. In my opinion they are working on the assumption that they are dealing with gentlemen. I am not working on that assumption. We are dealing with hard, tough, unscrupulous men. That is why I supported Tom Lewis in the

attitude he took on that very important occasion and I have no regrets. He was aware, as most honourable members and I were, that we are not dealing with men of integrity, honesty and principle. We have seen this again and again. They promised us open government, and they promised us honest government.

Then there was the Gair affair, and the way they lied and manoeuvred throughout that whole issue. The assumption was that we were dealing with honourable men. On the previous occasion the situation arose following a political appointment by the Commonwealth Government. The situation and the circumstances were different. We are not arguing on that point today; we are arguing that the Parliament should be given a choice.

Mr. Houston: Why wasn't there a choice in the case of Bonner?

Mr. BJELKE-PETERSEN: When Sir Kenneth Morris came up for election—

Mr. Houston: I said "Bonner".

Mr. BJELKE-PETERSEN: What did members of the Labor Party then claim throughout the State? They said, "There must be a choice of candidate. We will put up three candidates for the Senate." So they ran three. They said, "People are entitled to have a choice." The greatest collection of hypocrites in this Chamber is the small group opposite. In the case of Sir Kenneth Morris, they said that the people must have a choice, and they put up three names. In the appointment of Mr. Speaker, did they conform to convention? I say that to my colleagues who speak about convention. Of course Labor members did not do that. They played it hard and tough, and that is the way I play politics. I am fair, but I am tough.

The Leader of the Opposition today spoke so nicely and pleasantly about the appointment of this senator that I could not help thinking that he was a wolf in sheep's clothing. In speaking so delightfully, he did not draw attention to what he did when a Speaker was to be appointed or when Senator Bonner was appointed. On those occasions he said that Parliament must have a choice and he divided the House.

Mr. HOUSTON: I rise to a point of order. May I answer the Premier?

Honourable Members interjected.

Mr. SPEAKER: Order! I ask the meeting to hear the honourable member in silence whilst he is taking his point of order.

Mr. HOUSTON: The Premier is, of course, as wrong in that statement as he is in his whole argument. I was not even in the House on that day.

Mr. SPEAKER: Order! There is no valid point of order.

Mr. Jones interjected.

Mr. SPEAKER: Order! I have already warned the honourable member for Cairns. I ask him to restrain himself and obey the rulings of the Chair.

Mr. BJELKE-PETERSEN: The former Leader of the Opposition was in the House when the Speaker was elected.

Mr. HOUSTON: I rise to a point of order. The Premier has the happy knack of jumping from one point to another. The accusation that he made against me was in relation to Senator Bonner's appointment. I denied being in the House on that day.

Mr. BJELKE-PETERSEN: I wonder if the honourable member can deny that he adopted this attitude on the appointment of Mr. Speaker. Can he deny that?

Mr. HOUSTON: I rise to a point of order. Yes, Mr. Speaker, I can. The position with Mr. Speaker's appointment was that the alternative was nominated by members of his party.

Mr. BJELKE-PETERSEN: Just what did the honourable member say when speaking during the nomination of Mr. Lonergan for the position of Speaker? He said, "Parliament has the right to make its own choice."

Mr. Houston: Of Speaker.

Mr. BJELKE-PETERSEN: Yes, of Speaker.

Honourable Members interjected.

Mr. SPEAKER: Order! The meeting will come to order, and the Premier will be heard in silence. Otherwise I shall deal under Standing Order 123A with honourable members who offend.

Mr. K. J. Hooper: Don't be so provocative.

Mr. SPEAKER: Order! I warn the honourable member for Archerfield under Standing Order 123A. If he interjects again, I will order him from the Chamber.

Mr. BJELKE-PETERSEN: It is interesting to bring these matters to attention, particularly for the benefit of new members. I advise them not to be deceived by Opposition members or their colleagues in Canberra. Goodness me, they will cut your throat at the drop of a hat. I mean politically, of course, Mr. Speaker.

Honourable members opposite have had plenty of goes at me over supposed improper share-dealing and other things, but what did Sir Francis Nicklin say in dealing with a situation like this? He said—

"On this occasion this Government gave the Opposition its right to nominate persons so that this Parliament could make a choice. That invitation was not accepted, and only one nomination has been offered. The Opposition has presented us with an ultimatum, that is, that we take Mr. Arnell or no-one. It has even been suggested that this party has been directed by

Senator Spooner to take certain action. That is absolute nonsense. Senator Spooner expressed an opinion, as he is entitled to, that we should follow the action that is followed all over Australia, and replace Senator Poulter with an A.L.P. representative. That is just what we are doing."

That is what we are doing today. Sir Francis Nicklin continued—

"I should like to emphasise most strongly that, in presenting only one nomination and ignoring the invitation of the Government, the Opposition has not accepted its responsibility in the way it should. Why did it not accept the Government's invitation? I will tell the House why. It is evident that pressure has been brought to bear on the parliamentary Labor Party by the all-powerful Q.C.E. to nominate only one person, thereby depriving Parliament of its right of a choice. This Parliament" (as the honourable member for South Brisbane said just a moment ago) "is not going to be denied the right of a choice. This example of an attempt to usurp the rights of Parliament by an outside organisation, which is not responsible to the electors and which has no constitutional standing whatsoever in the duty we are called upon to perform here tonight, will not be accepted by the Government party and by the Parliament."

Neither will it be on this occasion. Sir Francis Nicklin continued—

"Why should the Q.C.E. decide that only one man's name should be submitted, with the obvious inference that its nominee should, willy-nilly, be accepted by this Parliament? It is not going to be willy-nilly accepted by this Government, anyway."

Why should I write to the Leader of the Opposition in this regard? He is obviously a man of ability; he can read and write. I wrote him a full-page letter. It is perhaps not necessary to quote the whole letter, but it reads in part—

"The question now arises of having that vacancy filled. As you are aware section 15 of the Commonwealth Constitution provides that when the State Parliament is not in Session the Governor in Council of the State concerned may appoint a person to hold the Senate place until the expiry of 14 days from the beginning of the next Session of the said Parliament. When the Parliament does meet, it must then proceed within 14 days to the election of a person to hold the late Senator's place in the Senate. Section 15 also states that 'If the place of a Senator becomes vacant before the expiration of his term of service, the Houses of Parliament of the State for which he was chosen shall, sitting and voting together, choose a person' (not just one person) 'to hold the place until the expiration of the term—'

"The Queensland Parliament is not presently in Session but today His Excellency the Governor has summoned the Parliament to meet on Tuesday, 19th August,

1975. In view of the provisions of section 15 of the Constitution and the imminent commencement of the Second Session of the Forty-First Parliament of Queensland, it would be appropriate if the constitutional action involved for the filling of the casual Senate vacancy were undertaken by the Parliament following the commencement of the Second Session.

"The generally accepted practice when a vacancy of this nature occurs is for the new Senator to be of the same Political Party as his predecessors."

As I said, that is the usual practice unless, of course, there is some unusual circumstance as there was when Senator Murphy was appointed to the High Court. I went on to say—

"To this end, therefore, I should appreciate your advising me as soon as possible the names of three persons" (not one person, not two persons) "whom your Party would be prepared to nominate for the election of one of them by the Parliament to fill the present casual Senate vacancy."

So we, of course, raised the matter. Then there is the very short, sketchy letter written in reply by the honourable gentleman in which he said—

"The Parliamentary Labor Party today at its Caucus meeting considered your letter" (it did not read it, evidently) "and unanimously resolved to advise you that the party nominates Dr. Malcolm Arthur Colston to fill the present Senate vacancy."

So we are confronted with a situation today in which the Leader of the Opposition, having in mind what had occurred in the past under Sir Francis Nicklin in a particular set of circumstances, having in mind his own attitude and the attitude of a former leader of the Parliamentary Labor Party, Mr. Tucker, who always said that there should, and must, be a choice, having in mind that at the time of Sir Kenneth Morris's election it was said that the people must have a choice, that there must be three names on the ballot paper so that they could have a wide choice, has confined the nomination to one; and I suggest that it is not right to confine it to either one or two.

All I want to say to you, Mr. Speaker, is that there have been some meetings of the Government parties and we reject completely the one nomination that has been put before Parliament, on the basis that no choice has been given, and I inform you accordingly.

Dr. SCOTT-YOUNG (Townsville) (4.37 p.m.): When the Australian Constitution was drafted it was neither envisaged nor intended that the Senate would be a party House. It was envisaged that the value of the Senate would depend not upon the various party strengths but upon the quality of the persons who were elected to it. It was considered to be a House of Review and a House that would provide a braking system on any

irregular legislation that might act against the interests of the States. The States were given equal representation, and they were expected to fill casual vacancies with the best men available and by a fair process of democratic election.

The Senate was not only a House of Review. It had equal power with the House of Representatives. Its representatives were elected in the same democratic manner and it had equal powers in the making of laws. Section 53 gave the Senate power to reject any Bill. It could initiate legislation other than money Bills, and it could not increase the charges under a money Bill. The stage was reached when the Senate's power and the Senate's capacity and ability were bounded only by the individual responsibility of the senators—in other words, its power was limited virtually only by the responsibility of individual senators—and it had powers very similar to those of the House of Representatives.

That brings me to the very interesting point, Mr. Speaker, that senators should not be elected unless they are men of deep understanding and high intellect, and preferably they should have had experience in their earlier years as members of an administrative body such as a local authority or a State Legislature. That was the basis of the old statesmen—the senator, the aged man.

When one looks at the nomination that has been put before the Chamber, what does one find? One finds a young man with no experience whatever. At 37 years of age, he has been a school-teacher. Obviously, both from reports and from my own personal research into his own background, he is an unstable person who had various appointments.

I must rise to the defence of the honourable member for Belmont, who made a very valuable contribution to the debate today. It has been overlooked completely that the honourable member for Belmont made no accusation. He simply stated known facts and asked for some clarification of them by the Leader of the Opposition, and the Leader of the Opposition could not clarify anything.

Opposition Members interjected.

Mr. SPEAKER: Order! If there are any more interjections from my left, I will name honourable members and deal with them. I will not countenance any more interjections, and I warn honourable members now for the last time.

Dr. SCOTT-YOUNG: The other interesting fact that arose out of the honourable member's statement and request for further information and clarification was that Police Force files are missing. There were keys missing, too, at one time. That man was employed in a statistical department and assessment area in the Police Force. What happened to those missing files does not call for much

imagination. If the files are missing, I, too, ask the Leader of the Opposition, "What happened to those files?" If the files are not missing, let the issue be clarified.

If that man has done the things of which he is suspected, he does not qualify as a fit person to be a senator—certainly not on my understanding of the qualifications of a senator. He is not an elderly man and he has had very little experience. Since 1972 the Senate has been subjected to an enormous work-load. Senate Select Committees have been punished severely, and senators are feeling tired. In 1973, 256 Bills were introduced in the House of Representatives. Of that number 223 were passed by the Senate and 10 were rejected. Those 10 Bills were complicated pieces of legislation associated with constitutional alterations and electoral matters. In 1974, out of a total of 95 Bills introduced into the House of Representatives, 47 were passed by the Senate and 21 were knocked back. It means that over the last two years the Senate has worked extremely hard. Senators have had to do a lot of research. They must be men of balance, substance and deep understanding. I cannot see those qualifications in the present Labor Party nominee. I cannot give any support to his nomination.

Mr. HOUSTON (Bulimba) (4.43 p.m.): It had not been my intention to enter the debate because I believed the issue was very well canvassed and handled by the Leader of the Opposition and his deputy. However, the Premier saw fit to accuse me of actions that are not substantiated by the facts. Therefore I want to use a few moments to put the record straight.

When Senator Bonner was elected to the Senate I was in another part of Queensland on parliamentary business. I believe the situation was well handled by my colleagues in the House at that time. I did receive the Premier's letter referring to that meeting. I will read part of that letter because it is important, seeing the Premier saw fit today not to mention the letter he wrote to me. He saw fit to use the argument that Sir Francis Nicklin used some time ago. On that occasion Sir Francis Nicklin moved against our nomination because he charged that person with not being fit to hold the position. On this occasion, with the exception of a statement by one honourable member, nothing at all has been said against our nominee. This is what the Premier said to me in his letter—

"As you know, the accepted practice when a casual vacancy of this nature occurs is for the new Senator to be of the same political party as his predecessor and I have asked the Queensland Division of the Liberal Party of Australia to advise me, as quickly as possible, of the name of the person they wish to nominate on this particular occasion."

The Liberal Party, the National Party, the Country Party and the Australian Labor Party are alike in one respect—their candidates do not elect themselves. Every one of us in this Chamber, except perhaps the honourable members for Mackay and Townsville South, has been endorsed and nominated by a political party. We all owe our place here to the endorsement of a political party at one stage or another. Since political parties were first recognised in Australia, it has been customary for them to use that machinery.

When a Senate vacancy occurred upon the resignation of Dame Annabelle Rankin, the Liberal Party called for nominations to be submitted to Parliament through its administrative machinery. That was done not by the Liberal members of Parliament under Sir Gordon Chalk, but by the administrative section of the party. Many nominations were received. If my memory does not serve me correctly I apologise to the people concerned, but I believe that Eric Robinson, the late Bill Heatley, Neville Bonner, Mrs. Noeline Wheeler and Mrs. R. W. Voller, amongst others, were nominated. A Liberal Party meeting consisting of about 90 people, no doubt assembled constitutionally—

Mr. Campbell: They would be financial members.

Mr. HOUSTON: I thank the Minister for confirming my statements. The people at this meeting decided that Neville Bonner should be the nominee. It is interesting to record that just prior to that time he had been defeated as a Senate candidate. His position was in no way different from that of Mal Colston.

Mr. Miller: What was the attitude of the A.L.P. on that occasion?

Mr. HOUSTON: We supported Neville Bonner.

Mr. Miller: You asked us for a choice.

Mr. HOUSTON: We did not ask for a choice. That has been checked out. We asked for a choice on the election of Mr. Speaker, but that related to a completely different set of circumstances.

On this occasion we are replacing a deceased senator. On a former occasion the Liberal Party was given the right of choice; it accepted it and nominated Neville Bonner. He was endorsed by Parliament. No attempt at character assassination was made. His name came forward and he was duly elected. On a later occasion he went to the people and was subsequently re-elected.

I have no fight with what happened on that occasion but, in this instance, the Premier and other Cabinet members tried to be politically smart. They said that they wanted a choice of three, knowing

that the A.L.P. calls nominations in the same way as the Liberal and National Parties. We have our electoral college constituted by men and women who may sit there and vote. Mal Colston received nomination. In its wisdom, the party could have carried Mal Colston through as the automatic nominee because he had received endorsement as the third member on the Senate ticket, but rather than do that the party called nominations again and Mal Colston received overwhelming party endorsement. In no way was that a reflection on the other persons who were nominated; they were all fine persons. Colston was our nominee. Talk today about freedom of choice is a lot of nonsense designed to save the consciences of honourable members who think that they want a right to choose.

As I said, the election of Mr. Speaker is different. It is up to the Government to decide whether it nominates three people. On a former occasion there were two nominees from the Government ranks—not from the Opposition. The Government made the decision to have a choice, but whether that was done in caucus I do not know. The Minister's nominee was rejected. On the last occasion the Government saw fit to nominate only one person, who was duly elected.

I wish to make my attitude very clear. This meeting of parliamentarians is a convenient venue for replacing a deceased senator. The founding fathers of our Constitution saw fit to provide that, at the subsequent election, the person whom we elect shall go before the people. In many organisations the person elected to replace someone who has died or left takes up the term of appointment of the person he replaces. In this instance it would be an appointment for the remaining five years or so. But that is not the way it is.

Today all we are called on to do is the administrative job of filling the vacancy with a person of good repute.

I completely reject the attack made by the honourable member for Belmont on Mal Colston. I sincerely regret that he saw fit to do that.

Apparently he has used a communication between one police officer and another. It would be very interesting to see if the Scotland Yard investigators out here now could ascertain how many files on private citizens are floating round in the hands of members of Parliament. I warn the people of Queensland that, just as a file relating to private citizen Mal Colston was put in the hands of a member for use in this Parliament, so, too, could many files on other private citizens of this State fall into the hands of members of the Government parties. After all, the honourable member for Belmont read from a document purporting to be a letter from one police officer to

another. If that is so, I suggest that the Minister for Police should have his Scotland Yard investigators inquire into the matter.

It must not be forgotten that Mal Colston was not charged. On the contrary, after the time of the alleged incident he was promoted by this Government to very important positions in the fields of police and education. He also earned a doctorate at the university. Notwithstanding that, the Government saw fit to stoop to this level.

I ask: in the hands of Government members how many other files are there relating to people who have been associated with a police investigation? How many are there available for use at any time when the Government wants to smear or attack a person's character?

I believe that that action is completely wrong. If this debate has done nothing else, it has surely warned the people of Queensland what this Government will do in an attempt to attack a member of the community who is seeking his constitutional right to represent the State as a member of the Senate. That is all Mal Colston is doing. Because of that, someone saw fit to place in the hands of the honourable member for Belmont the document he referred to.

Let me turn to another facet of this. The Premier said that he wanted a list of three names. Surely the Premier realises—I suppose he does—that any person who is nominated to this position and is a public servant or holds a position of profit under the Crown has to resign. Mal Colston has done that. If we had nominated other public servants, they, too, would have had to resign from their positions. Obviously the Premier is quite happy about the fact that anyone who is requested by a political party to accept nomination will be forced out of work for two weeks or more. If what has happened to Mal Colston in the past were to happen to other people who sought A.L.P. endorsement or nomination, it would be a sorry state of affairs, for we all know that Mal Colston was kept out of work for a long period after the last Senate election.

Members on the Government side talk about democracy and constitutional rights. I believe it is a citizen's constitutional right to be free in our society; to be free from the thought that someone may reveal the contents of a document about him. If a person wishes to nominate for high office, he should be allowed the right to do so. I support Mal Colston's nomination.

Mr. GIBBS (Albert) (4.54 p.m.): I rise to make a serious contribution to this debate concerning the replacement of the deceased senator, Bert Milliner. I knew Bert Milliner as a man outside politics, and one of very high integrity. When we look at the rabble in the Labor Party today, we find it very hard to obtain a replacement for him in the Senate.

The honourable member for Townsville South spoke about Senator Georges and men like him. They are not fit to eat at the table with men like Bert Milliner. His whole family have my deep and sincere sympathy in their loss. His untimely death is also a great loss to Queensland.

We want to be able to send to the Senate—the States' House—someone who will represent the people of Queensland. I do not claim that Dr. Colston is dedicated to the abolition of the Senate; but, by the same token, it is the policy of the A.L.P. to destroy it. Even the Independent Labor member for Mackay admitted that he is so dedicated, so we do not want a man like him in the Senate. The A.L.P. is dedicated to its policy of destruction of the Senate. Imagine the plight that Queensland would be in today without the Senate and without the men of honour in it who represent the State. The abolition of the Senate is totally unacceptable to me.

Mr. Jones: Like Senator Milliner. He was representing exactly the same thing.

Mr. GIBBS: The honourable member for Cairns is also dedicated to that end. He would like to destroy the Senate. He is a socialist. We do not want his type down there.

I am not willing to support only one nomination. It has been said that the man who will go to Canberra to represent Queensland will be a member of the A.L.P. The fact that the Premier wrote to the Leader of the Opposition is an indication that we will stick to the rules and send to Canberra a member of the A.L.P. There is no doubt in my mind about that. But who is to be selected is another story.

I am not willing to pass judgment on someone who is just poked at me. I want to ask the nominee, whoever he is, if he intends to try to destroy the Senate, and I will not vote for anybody put forward who has that intention. All who seek to destroy the Senate are bitter enemies of the people of Queensland.

We have to send to the Senate a man of the integrity of the Bert Milliner I knew apart from politics. We could not afford to have another Senator Georges in the Senate, because such a man would help to destroy the Senate. Senator Georges sits in the middle of the road in protest and leads all sorts of moratoriums. There is no way in the world that, as a National Party member or a representative of the people of Queensland, I will support anyone like that. I am not passing judgment on Dr. Colston in that regard, but I want to know a lot more about him. I also want more than one nominee. I will not have Bart Lourigan or anyone else thrust only one man at me, and I would not expect the A.L.P. in this Chamber to accept only one nomination from our party.

Mr. Houston: You will do as you are told.

Mr. GIBBS: I am not like Opposition members, who have to wait outside the door to get their orders. The honourable member for Bulimba is totally out of step and will end up like the honourable member for Mackay and a few others—out in the cold, cold snow looking after their own affairs. And the honourable member for Mackay is a better man for it; he even looks better.

Mr. LINDSAY (Everton) (4.59 p.m.): As a new member I have listened to the debate with interest. Not having recent experience in politics, I have cast my mind back to the old well-defined adage that those who do not learn from history are doomed to repeat it. The thought struck me: what does history reveal about the attitude of the Labor Party when it was in power and was faced with this type of situation?

On 24 August 1937 my grandfather, Labor Senator John Valentine MacDonald, died. On 2 September 1937, in this Chamber, a procedure similar to that we are following today took place. The then Premier, the Honourable W. Forgan Smith, in making his opening address, nominated a Labor man, the late Ben Courtice. In response to his remarks, the then Opposition, through Mr. Maher, who was representing West Moreton, said—

“In this case the late Senator MacDonald was a member of the Australian Labour Party, and it seems but reasonable that if this Parliament is called upon to select a successor the Labour Party in this State should be entitled to make the choice.”

He went on further to say that there was a very clear obligation under the Commonwealth of Australia Constitution Act, but Parliament was not making the choice in that situation. That was the position in 1937. Are we today to do what we are told by the Leader of the Opposition? He is called “Big Brother” out my way because on all the posts in the Everton electorate large signs have appeared in recent weeks and “Big Brother” peers down from them on the people of Everton as they move around the electorate. “Big Brother” is giving the people of Everton that feeling, and he is also giving us that feeling here today.

What my side of politics argued in 1937 was basically that the choice had already been made by an outside political organisation with no constitutional standing whatever, and Parliament was merely assembled for the purpose of ratifying the selection of that body. If we do not learn from history, that is what will be repeated here today. “Big Brother” has directed that we are to be given only the one nomination, and that is what happened in 1937 when my grandfather, Senator John Valentine MacDonald, was replaced. Those on my side of

politics thought that what was being done was fair, but they objected to being told whom they had to appoint.

History has changed, and this House has changed—and for the better. Senator John Valentine MacDonald’s grandson now stands up in this House as a member of the National-Liberal coalition parties in office and says, not to Labor members here but to the Q.C.E., “You are not going to tell us whom we have to select. You make three nominations, hopefully good men, and we, not you, will make the choice.”

Mr. BURNS (Lytton—Leader of the Opposition) (5.3 p.m.), in reply: This has been a remarkable debate, and I am amazed and disturbed at what has passed as debate on the selection of a senator to replace the late Senator Bert Milliner in the Federal Parliament until the next Federal election. I am surprised and disappointed that some members resorted to personal smears against Mal Colston. I do not think that was necessary. I think proof of his integrity is to be found in the fact that this Government has employed him and promoted him to positions of trust. It has employed him as a school-teacher to educate young children throughout the State. Step by step he has risen in positions of trust, and I do not think that we in this Chamber should ever resort to using unfounded, scurrilous material to attack others. That was done by the first Government speaker in this debate.

Then the honourable member for Townsville South said that the greatest thing against Mal Colston was that he had attended the university. He said that Labor candidates should not be people associated with the university. I think we all strive to give our children a good education. My mother and father certainly did that for me. My father said, “My lad will have a better education than I had.” I in my turn hope to do the same for my daughters.

Mr. AIKENS: I rise to a point of order. My antipathy is not to the university or its students or academics. It is to the riff-raff section, to which Dr. Colston belongs.

Mr. BURNS: That is typical of the honourable member for Townsville South. He also made some statements about our selection procedure and spoke about 39 men in an electoral college. I think he called it a “national” college; he could not even give its correct name, let alone the correct story. He said that his objection to Mal Colston was that he was an academic, and he attacked academics. I do not think that that argument has any validity in this case.

The next speaker was the honourable member for Toowong. He advocated war and revolution. He said that politics today is war and so we must forget about the standards of the past. He said we should

forget the conventions of the past; we should forget about all the things we hold near and dear—that today politics is war. Honourable members know what war is all about. In war the established rules of the game are brushed aside and the combatants make their own new rules. Apparently those are the standards of the honourable member for Toowong, and if those standards are adopted by this Parliament and by this Government, then probably other States and other Governments will follow suit.

What will happen to the Senate? The Senate will become a body not elected by the people. Numbers in the Senate will depend upon vacancies created by death or illness or resignations and the Parliaments of the day in various States will determine who will be nominated, how they will vote and the decisions to be made. Not once in this debate today have I heard a member from the Government side talk about the electors of Queensland. Not one has talked about the people and their wishes.

Honourable Members interjected.

Mr. BURNS: Government members will have to write it into "Hansard" later if they want it to appear. Certainly it has not been mentioned once in the speeches here today. They expressed concern about preserving their own temporary political rights—the rights of the Liberal Party or the National Party and how they might fight their war to protect their party or their politics or their group—but not once did anyone talk about the 450,000 people who voted Labor, who voted for Senator Milliner and expected him to be there for six years to represent them whether the Government in the House of Representatives changed or not. They believed he would serve his whole term. We never worried about him but now because of an Act of God we have to replace him.

Now for very temporary party-political purposes honourable members opposite are going to say, "Well, we will change the people's vote. We will reject what they voted for. We will make up our minds what they wanted in May last year. We will make up our minds that, even if they did want him there for six years, then they cannot have him or his successor." Not once did Government members take account of the people's vote. The people voted for six senators of their political persuasion and four Labor senators. Now Government members are saying to us that it was three.

The Premier said "You can have a Labor man." As we went around the corridors today we were told, "Your man is going to be rejected and you will then be asked to put up two further nominations." Let me make it quite clear that the Parliament has the right to reject him but if the Government calls for the nomination of three, six or nine others, we will send back to

it the name of Dr. Mal Colston. If he is rejected next time, we will again submit the name of Dr. Mal Colston.

Honourable Members interjected.

Mr. BURNS: I am acting on behalf of my parliamentary caucus, which unanimously recommended this nomination. I will talk about selections in a moment. When we tell the Government this, the Government will then say it is going to select a mythical Labor man. One of our party rules laid down in 1911—long before I was born—states that if a man accepts a nomination against a fellow Labor man he loses his endorsement, his party membership.

Mr. Aikens interjected.

Mr. BURNS: The honourable member knows that. When he was a member of the party he signed the same pledge as I did. It was there; it has been there since 1911, and that rule will apply to anyone the Government tries to select who is not endorsed by the Labor Party.

Mr. Knox: You are just holding the Parliament to ransom.

Mr. BURNS: No, we are not. We are saying the Government should make its own decision. If it is willing to support a Labor man, I think it is the right of the Labor Party to pick its own nominee. If the Government wants to pick a non-Labor man, it can do so.

Mr. Knox: We are not denying you that.

Mr. BURNS: We have picked our man and I am saying to the Government that we will continue to nominate that man. Let us talk about outside direction. The recommendation went from our caucus to the central executive that we nominate one man and one man only.

Mr. Lindsay: You did that in 1937. What's new?

Mr. BURNS: The honourable member is talking about outside recommendations. I can show honourable members Press cutting after Press cutting from 1971 where Mrs. Wheeler, Mrs. Voller and Mr. Robinson from the Liberal Party were all trying to receive the nomination for the position that was eventually filled by Senator Bonner. One after the other they appeared in the newspaper carving each other up. The Liberal Party called nominations and held its own preselection ballot. When I read "Hansard" I see that not one member from the Government side of the House got up and objected to this selection being made by some outside body, by some Liberal executive somewhere else—not one objection! But today, all of a sudden, because the Labor Party executive, made up of the same sort of numbers as the Liberal Party executive, made the same sort of decision something is said to be wrong with that.

But it was quite right—quite legitimate—for the Liberal Party to do it. Its selection was made at a meeting at which, according to a newspaper report, about 90 people were present—90 names that people had never heard of, 90 names that people outside had never had a chance to vote on. And honourable members opposite talk about outside direction! One nomination from the Liberal Party was called for; it made its selection, and that selection was endorsed by the Government.

I come back to the question of Dr. Colston as a man and the smear of him by the honourable member for Belmont, who made unfounded accusations based on a mysterious circular letter that he received from an inspector or from a senior constable of police stating that there was no evidence on which to lay charges against Dr. Colston. In my opinion, that is a very low brand of politics. As far as I am aware, that is the only smear.

Mr. Jensen: Dr. Scott-Young said that he had stolen some files from the police.

Mr. BURNS: If Dr. Colston stole files from the police, it seems to me that there should be some charges against him.

Dr. SCOTT-YOUNG: I rise to a point of order. I find quite offensive the remark that I said he stole records from the Police Force. I did not say that, and the remark is very offensive to me.

Mr. BURNS: I withdraw it.

Mr. BYRNE: I rise to a point of order. I have at no time made any accusations or smears. I made statements and asked whether the Opposition could prove them to be incorrect. I made no statements about the character of the man. I said that certain situations in the past may point in a certain direction; I made no accusations or smears.

Mr. SPEAKER: Order!

Mr. BURNS: Dr. Colston was teaching at Carter's Ridge school in 1962. He was transferred from there to Grovely. If the Government had some objection to him, why did it not do something about it? He then taught at the Kelvin Grove State High School. Later he was employed as a guidance officer, and he then went to the Police Department and from there to the Department of Industrial Development. He has been around for a long time, and now the Chamber has heard of a mysterious circular. I say that it is a smear.

My view, Mr. Speaker, is that over the years there has been a convention that I believe we should now be supporting. I do not believe that we can say to the people of the State, "You can have a vote, and nine out of 10 of you can make up your mind that you are going to vote for the National and Liberal Parties in a Senate election, and then, if a death of a senator occurs or a senator resigns, a State Government of a different political complexion

can change your vote." That is what honourable members will be doing if they do not select a Labor man.

Mr. Bjelke-Petersen: We will select a Labor man.

Mr. BURNS: If the Premier says that members of the Government will select a Labor man, I say to him that the caucus, acting on behalf of the Australian Labor Party—the caucus to which he wrote—will nominate Dr. Mal Colston on each occasion on which it is asked to nominate someone to fill the Senate vacancy, so I hope that honourable members opposite will vote for him on this occasion.

Question—That the motion (Mr. Burns) be agreed to—put.

Mr. SPEAKER: Under Standing Order 331, as presiding officer of this meeting I am required to cast my vote. I therefore ask that my vote be recorded against the motion.

IN FAVOUR: 15

Burns	Lamont
Casey	Marginson
Dean	Melloy
Hanson	Yewdale

Hewitt, W. D.
Houston
Jensen
Jones
Kaus

Tellers:

Hooper, K. J.
Wright

AGAINST: 63

Ahern	Kippin
Aikens	Knox
Akers	Kyburz
Alison	Lamond
Armstrong	Lee
Bertoni	Lester
Bird	Lickiss
Bjelke-Petersen	Lindsay
Byrne	Lockwood
Camm	Loves
Campbell	McKechnie
Chalk	Miller
Chinchen	Moore
Cory	Muller
Deeral	Murray
Edwards	Neal
Elliott	Newbery
Frawley	Porter
Gibbs	Powell
Glasson	Row
Goleby	Scott-Young
Greenwood	Simpson
Gunn	Small
Gygar	Tenni
Hales	Turner
Herbert	Warner
Hewitt, N. T. E.	Wharton
Hinze	Young
Hodges	
Hooper, K. W.	
Hooper, M. D.	
Houghton	
Katter	

Tellers:

Doumany
Hartwig

Motion declared lost.

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (5.23 p.m.): As a senator has not been elected and as there are no further nominations it is necessary to adjourn the meeting. I therefore move—

"That the meeting be adjourned until 2.15 p.m. on Wednesday, 3 September 1975."

Motion agreed to.

The meeting adjourned at 5.25 p.m.