



Speech by

**Hon. J. FOURAS**

**MEMBER FOR ASHGROVE**

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Hansard 22 July 1999

**MR SPEAKER'S RULING**

**Motion of Dissent**

**Hon. J. FOURAS** (Ashgrove—ALP) (2.57 p.m.): I am pleased to take part in this debate. Those of us who were in the House at the time of this incident on Tuesday—and most of us were—would have seen the unbelievably poor behaviour of the Opposition—even more so than that of the member for Tablelands. The member for Tablelands showed total disrespect for the authority of the Chair. He was bringing down the dignity of this institution, and what do we get from people opposite? In one case we had the Liberal Leader saying, "We should sin-bin him." He totally misunderstood the purpose of the sin-bin. Secondly, members of the Opposition actually voted against the motion moved by the Acting Leader of the House to suspend that member from the Chamber. What the Leader of the House said today is underlined by that behaviour on Tuesday.

When I became Speaker in 1989 and Angus Innes was the Leader of the Liberal Party, he said to me, "Mr Speaker, unless I think you are making biased decisions, I will support and respect the authority of the Chair." The moment he left that position, I had five dissent motions moved against me as Speaker. I do not want to crow, but I have taken those dissent motions to annual meetings of Speakers—my own peer group—and put them on the table and they have agreed that not one of them had any foundation.

The whole idea was to create dissension. Goss was going well, so perhaps they decided to attack the Chair. Here we are seeing another attempt to bring some relevance to the Opposition. I think members of the Liberal Party should ask themselves whether they support the institution of Parliament as their predecessors did—as people such as Lickiss, Hewitt and Innes did.

I had the privilege of going to the House of Commons. When I was there I asked, "Do you ever have dissent moved from the Speaker's ruling?" They said, "No, we do not." I said, "Even if he is wrong?" They said, "No, even if we think he is wrong, because we believe Mr Speaker must have had some reason for making that ruling."

Let us look at the circumstances that exist in this Parliament. We have had a lot of spurious points of order taken in this House. It is really impossible to stop a spurious point of order. A Speaker has to hear a point of order. By the time the Speaker has heard it, the political game has been played and time for answering the question has been taken away from the Minister. Time given to answer questions is now limited. When I was Speaker, I actually tried to sit Ministers down if they were speaking too long.

Spurious points of order are taken. It is considered smart and good politics to get up and take a point of order that has nothing to do with the Standing Orders. Mr Speaker made a ruling on Tuesday in relation to the matter we are now debating. On 11 June, Mr Speaker ruled the dissent motion out of order because he said that he had not made a ruling but had given a warning. There is no doubt that the Speaker was correct in that instance.

I take members back to 14 May 1998 when then Speaker Turner made a ruling. He did not allow any debate at all on a matter and allowed a closure motion to be moved. He allowed the gag to be moved under Standing Order 142 which, in my book, is very clear. It states that the motion "That the question be now put" can only be put if Mr Speaker or the Chairman feels that the question has been

sufficiently debated. It had not been debated at all. What did the Labor Party do in that instance? I will be frank: we were very unhappy with that ruling, but we said that we should not dispute that decision. We accepted the ruling of Mr Speaker. In this case it is much clearer, in my view, that the ruling of Speaker Hollis is absolutely right.

What are we arguing about? Are we arguing about the right of a Speaker to decide that somebody is disregarding or not respecting the Chair or disobeying his ruling? If Mr Speaker believes that many spurious points of order are being taken and somebody continues to take them, he does not warn those people under Standing Order 123A, because that Standing Order relates to persistent interjection. He can give a warning, but that is a general warning instead of the use of Standing Order 123A. A Speaker cannot warn a person under Standing Order 123A and then send them to the sin-bin. It is a difficult situation. It is not as clear cut as made out by the member for Mooloolah.

When I was Speaker there were two obvious choices. There was Standing Order 123A for persistent interjecting or Standing Order 124 for disobedience of the authority of and respect for the Chair. But now we have the sin-bin. What Mr Speaker was trying to do on Tuesday, and rightly so, was say, "I have had enough of this." If people look at what had been going on, they will see that question time was being made into somewhat of a shambles. The Speaker was basically saying, "Do not try to abuse my goodwill." A warning was given on the basis of Standing Order 124.

Why do we have dissent motions in this Chamber? Maybe they are necessary in the case of a particular ruling that sets a precedent, if we are starting to change the direction of the Standing Orders, as with a judicial ruling. But here we have seen the correct use of Standing Order 124 for disobedience, for disrespect and for taking spurious points of order.

I refer to the situation involving then Speaker Turner in 1994. In my view, under Standing Order 142 the Speaker has to be totally convinced that, in his or her eyes, there has been adequate debate before the gag can be put, before the debate can be closed. In the instance I am speaking about there was no debate at all. The now Premier was told to sit down, the question "That the question be now put" was put and the Opposition voted against the motion. What did the Labor Party do? It said, "That is fine."

When I became Speaker, Angus Innes said to me, "I will respect your authority to run this Chamber. Only if I think you have been unfair will I move dissent motions against you." I had five dissent motions moved against me as Speaker. I do not want to talk about how correct I believe I was, but I know that not one of those dissent motions stood up to any scrutiny by my own peer group. They were an attempt to destabilise the Goss Government.

I think this Parliament has better things to do with its time, but those opposite have the right to move dissent motions, and today members will have an opportunity to vote on this motion. I suggest to members opposite that there is only one way we can get the standing and authority of this Chamber to the level it ought to be, and that is by respecting the authority of the Chair and upholding the dignity that respect brings to the Parliament and to the people of Queensland.

I say to people opposite who suggest that they are independent: let us stop this nonsense early in the term of this Parliament. Let us not have dissent motion after dissent motion, as there was when I was Speaker. Let us stop that, because that does not do anything for any of us.

There are ways of dealing with an issue if members are unhappy with the Speaker's ruling. Members can go around to the rooms of Mr Speaker and say, "What do you mean by that? Can I get an explanation of that? What is happening down the road?" Members should try to satisfy themselves in that way.

I think the motives of Speaker Hollis were honourable. I think we have to be very careful when we think we have a right to take spurious points of order and then get very agitated and pained about "how dreadful it is that the Government is using its numbers in this Chamber to stifle us." There are ample opportunities given for members of this House to represent themselves.

I ask the House to stop early in this term of Parliament this nonsense of dissent motions for political point scoring. Let us get back to believing in the Westminster system and the authority and dignity that a Speaker can bring to a House of Parliament. I oppose this motion of dissent most strenuously.

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