



Speech by

Hon. PETER BEATTIE

MEMBER FOR BRISBANE CENTRAL

Hansard 26 October 1999

MOTION OF CONDOLENCE

Death of Sir Charles Wanstall

Hon. P. D. BEATTIE (Brisbane Central— ALP) (Premier) (9.39 a.m.), by leave, without notice: I move—

"1. That this House desires to place on record its appreciation of the services rendered to this State by the late Honourable Sir Charles Gray Wanstall, a former member of the Parliament of Queensland and former Chief Justice of Queensland.

2. That Mr Speaker be requested to convey to the family of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the members of the Parliament of Queensland for the loss they have sustained."

Charles Wanstall was born in Brisbane on 17 February 1912, the son of Ernest and Emma. His grandfather was one of the early teamsters in the west, and his father was a railway shunter for a time before becoming an inspector for the Agricultural Bank and a grazier. Sir Charles attended State schools in Roma and Gympie and completed his schooling at Gympie State High School. He entered the Public Service as a clerk with the Department of Agriculture and Stock in 1929, aged 16, for the princely wage of 100 pounds per year. Sir Charles began studying law at night and at the same time transferred to the Justice Department and the Crown Solicitor's office. He was called to the Queensland Bar in 1933 and worked in the Crown law office until 1935. He went on to establish his own private practice at the Bar and was admitted to practice before the High Court of Australia in 1942.

Sir Charles' parliamentary career began when he was elected as the member for Toowong for the Queensland People's Party—later the Liberals—on 15 April 1944. In his maiden speech to the House on 24 August 1944, Sir Charles, now 32, urged the repeal of the Commonwealth Powers Act 1943, arguing its repeal—

"... to be a practical necessity for the reason that so long as it remained in force it imposed a different test as to the constitutional validity of Commonwealth legislation in Queensland from that ... applied to such legislation in either Victoria or South Australia."

Other issues that Sir Charles covered in his maiden speech were his strident belief that votes cast at the last Queensland election by the holders of proxies in the names of soldiers present in the State on polling day were invalid and illegal, and the need for a revision of electoral boundaries.

During debate in the House in 1945, Sir Charles attacked the delegation and subdelegation of powers to "the creatures of Executive Government, the numerous boards, committees and the Directors-General." He suggested to the House that the Queensland Parliament should have a standing committee to consider and report on all regulations and orders laid on the table of the House—a role that continues to be performed today by the Scrutiny of Legislation Committee. Sir Charles also wryly suggested that a standing committee might give some thought to the streamlining of parliamentary procedure. He said that he never failed to be amused when the Speaker put the rather absurd question that a Bill, upon being introduced, be printed, while the messenger stood at the end of the Chamber with a printed Bill in his hand.

Sir Charles' last recorded statement to the Parliament was a somewhat dramatic occasion. On 25 November 1949, he was suspended for continuing to read a question on a proposed royal commission into the Golden Casket after the Speaker had ruled that there could be no further

questions on the subject. The Hansard record is: "Mr Wanstall continued to read his questions amidst uproar."

Sir Charles did not stand for re-election in 1950 and is quoted as saying—

"It was impossible to conduct a practice at the Bar, and be a Member of Parliament at the same time—particularly a member in Opposition ... I choose the Bar."

He remained prominent in Queensland politics for some time, serving as the State President of the Queensland Liberal Party from 1950 to 1953.

Sir Charles' practice at the Bar flourished and in 1956 he became a Queen's Counsel. He was involved in some of the important cases of the day, including constitutional law and revenue cases, and also played a prominent part in several royal commissions. His judicial career began in 1958 when he was appointed a judge of the Queensland Supreme Court, with the Courier-Mail reporting that the "schoolboy from Gympie who never doubted he would one day be a barrister" had outdone his boyhood hopes.

In May 1971 he was named Senior Puisne Judge and was knighted in 1974. In July 1977 Sir Charles Gray Wanstall was appointed Chief Justice of Queensland. He held this position for five years until his retirement from the bench in 1982. It was a distinguished legal career for a schoolboy from Gympie who made his way without the benefit of wealth or close legal connections but through sheer merit and hard work.

As with his parliamentary career, Sir Charles' last reported statements as a judge, on the occasion of his valedictory, were controversial. Whilst congratulating his successor and close friend, Sir Walter Campbell, Sir Charles felt bound to "deplore the unjust and unsatisfactory treatment Mr Justice Douglas received in having been passed over for the appointment", despite his seniority.

In addition to his political and judicial duties, Sir Charles made a significant contribution to Queensland through his charitable works. In 1961 he became a foundation member of the board of trustees of the Queensland Cancer Fund, a position he held for 30 years, and he was the chairman of the board from 1962 to 1985. In their first years, the trustees raised almost five hundred thousand pounds and by their second year they had provided vital radiation equipment for the Queensland Radium Institute. During his chairmanship, the board of trustees established a 29-unit accommodation lodge at Herston for rural cancer patients who have to travel to Brisbane for treatment. In recognition of his years of dedicated service to the Queensland Cancer Fund, the Sir Charles Wanstall Apex Lodge proudly bears his name.

Sir Charles also served on the committees of the Guide Dogs for the Blind and the Multiple Handicapped Association. He was chancellor of the Brisbane Diocese of the Anglican Church in Australia for more than 20 years. Sir Charles was a great patron of the arts and theatre, serving as chairman and then as a member of the Queensland Ballet board for a total of seven years.

Sir Charles married in 1938 and he and his late wife Olwyn had one daughter, Jon. Sir Charles is survived by his daughter and her family. On behalf of the Parliament, I extend my sympathy and that of the Government and this House to Sir Charles' family.
