



## Speech by

# Mr DOUG SLACK

## MEMBER FOR BURNETT

Hansard 5 October 2000

### MR SPEAKER'S RULING

**Mr SLACK** (Burnett—NPA) (10.20 p.m.): I have been in this House for approximately 14 years. This is my 14th year and I cannot recall one occasion where I have participated in a motion of dissent against the Chair, because basically I respect the position of the Chair and I respect the fact that the Chair can make mistakes. But in this case I believe it is so blatantly wrong that I am prompted to participate in this debate. Hence, my support for the motions of dissent.

Despite the definitions that the Deputy Premier may give and other definitions about the rights and wrongs of your original ruling, there are two bases for the motion of dissent. One has been referred to by the member for Moggill when he spoke about the question he asked. It was a simple question about Lee Bermingham. That question was—

"I ask the Deputy Premier and Minister for State Development and Minister for Trade: can he inform the House if he has ever employed, and if so in what capacity, Lee Bermingham?"

That was a simple, straightforward question that I believe was outside the terms of reference of the inquiry.

My Speaker, you ruled the question out of order. You made that decision. If you were to be consistent, where you really went wrong was that you allowed the Deputy Premier to answer a question in the twisted way that he did from the member for Lytton after you had already ruled that question from the member for Moggill out of order. In doing that, you showed your blatant lack of impartiality in this instance. The Deputy Premier, by answering the question in the way he did, paid scant regard—and if you reflect on that answer you will see this—and indeed it could be argued contempt, straight-out contempt, for your ruling as the Speaker.

You did the same thing in respect of the member for Currumbin when a question was ruled out of order and she got up and answered that question—and did so by raising a matter of privilege.

The member for Nerang at the time correctly questioned your ruling in respect of the question by the member for Moggill, yet you disregarded that and allowed the Deputy Premier to continue with the question.

Mr Speaker, you cannot be right on both counts. You cannot give a ruling that says that the question is out of order when it was put by the member for Moggill and then allow the Minister to get up and answer a question that bore no relation to that asked by the member for Moggill but answer the question that you had ruled out of order. Surely that should have evoked from you a question of contempt for the Chair and your ruling. But you did not; you allowed your AWU mate—

**Mr Johnson:** Faction leader.

**Mr SLACK:** Mr Speaker, you allowed your AWU mate and faction leader to answer that question. That is the basic reason that I am tonight supporting this dissent motion.

I bear no malice to you as Speaker. I take on board the difficult position that you have. I am not naive enough to believe that as a Speaker elected from a party that you do not, as Speaker, at times consider that party. But you have a responsibility to this Parliament to be seen to act impartially. In this case, you did not act impartially and that is why the member for Nicklin will vote with the Opposition in

support of this motion. Obviously, the Government's numbers will support you and on your casting vote you will support yourself, when clearly it can be logically demonstrated that in doing what you did in this particular case you have been in error. There are also the other cases that have been dealt with by the speakers to the debate tonight.

To support further the argument that I put forward, I say that you ruled the question asked by the member for Moggill out of order based on the use of the name of Lee Bermingham, yet you allowed the Premier to answer a question on whether he had confidence in the member for Townsville, who has been mentioned in the inquiry. That was completely inconsistent with your first ruling on the sub judice nature of the question. Forgetting all the words about what constitutes sub judice, clearly in this instance the motion of dissent before the House tonight is deserving of support. That is, as I said, why I am supporting the motions before the House tonight. You cannot have it both ways. You cannot advance a legal argument to smother the debate on questions purely on the premise that a person was named in an inquiry and then at the same time rule the question in order.

Time expired.

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