



Speech by

**Hon. J. FOURAS**

**MEMBER FOR ASHGROVE**

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Hansard 7 November 2002

### **MR SPEAKER'S RULING**

#### **Motion of Dissent**

**Hon. J. FOURAS** (Ashgrove—ALP) (11.42 p.m.): Motions of dissent on Speaker's rulings should not be taken lightly. If the House supports this motion tonight, it would mean that we would take away the Speaker's discretion on time limits, and that would be disastrous. When I visited the House of Commons when I became Speaker I spoke to its House committee and asked if members ever moved motions of dissent on Mr Speaker's rulings. It said no. I asked, 'What do you do if the Speaker made a ruling that you did not agree with?' It said, 'We would go around and speak to Mr Speaker. We would think that he had a special reason for making that ruling.' However, it would not disagree with that ruling.

When Angus Innes was Leader of the Liberal Party—I say this to Liberal members opposite, because they should think about how they are going to vote on this—he came to me when I was Speaker and said, 'Mr Speaker, I will not support a dissent motion against your rulings. I would only do so when I became convinced that you were a biased Speaker,' and he never did. The proper approach in all these situations is for the member who feels that he has been unfairly treated or who is not happy with something to go to the Speaker's rooms and have a discussion about the matter. On 14 May 1998 Speaker Turner made a ruling to allow the gagging of a debate. Standing order 142 states that the gag can only be put if the chair feels that the question has been sufficiently debated. In that situation, there would be no further debate at all. No member of the opposition had spoken, yet we did not move dissent. We never dissented from Speaker Turner's rulings.

I will go through some of the dissent motions I had to put up with when I was Speaker. Let us see how well they were founded, and they were all done under the stewardship of the member for Beaudesert as the then Opposition Leader of the House. Let us go through them. One of them was whether I gave the call for a second question to the Liberal Leader or to the Deputy Leader of the National Party. Wow! They were not in coalition then. The second one was that he wanted to ask a question of the chair of the PCJC, but of course members can only ask as to whether a report is going to be tabled or if a matter is going to be looked into. However, he wanted to ask about matters relating to the CJC. Another dissent motion was when those opposite did not accept a ruling that I made that second reading debate speeches had to be relevant. They thought that relevance was not important. Another one was that the Table Office had removed offensive language from a notice of motion by the member for Southport. I did not do it as Speaker but a dissent motion was moved against me because I was censuring the parliament. These are all from the member for Beaudesert.

The member also moved a dissent motion on a ruling that I disallowed questions in question time on a bill currently before the House. These are a number of examples. I looked through the *Hansard* tonight to see how those opposite use the motion of dissent. I agree with the Leader of the House: this was nothing more than a ploy to destabilise the House at that time. They were not getting the runs on the board and they wanted to destabilise the House. That was what it was all about.

**Mr Johnson** interjected.

**Mr FOURAS:** If the member for Gregory wants to discuss the issue of a number of members being given two minutes for private members' statements and other matters, this is not the way to do it. I also say to the member for Nicklin that the Speaker had no choice tonight but to throw out the member for Beaudesert. He stood there and totally disregarded standing orders 119 and 120. If any

member finds any matter offensive or untrue, it is not for the chair to rule on it; rather, it is up to the member to say so and ask the member who made the comment to withdraw it. The second issue in terms of the contribution of the member for Nicklin—and I respect him—is that the Speaker always hears dissent motions unlike other matters. That is the procedure.

It is important for this House to understand that every time we support dissent motions on the Speaker's ruling we do something that is not in the interests of the parliament. Ben Chifley, my hero in terms of Labor Party politicians, said that the test of a true democracy is not the political party but the parliament. Anything we do to destroy the authority of this parliament is a death blow to democracy itself. It is so fundamental in this chamber. I ask the member for Moggill to think seriously about this matter, because I know that he brought it to the Speaker's attention at the time but he would not have moved this dissent motion. I know that. I know that my friend David would not have done that. I ask the Liberal Party to stand up like Angus Innes for the dignity and authority of this parliament. It should take that position so that we do not get on the slippery road of taking motions of dissent lightly, because they question the authority of the chair.

What the member for Beaudesert did tonight was disgraceful. During the process of questioning the Speaker's ruling he did not wish to uphold the dignity and authority of the chair. I think that is disgraceful. Again, I think it is important—

**Mr Terry Sullivan:** It was probably premeditated.

**Mr FOURAS:** I am not going to judge the motives of the member for Beaudesert, member for Stafford. Ultimately, we are spending an hour of our time tonight debating whether a Speaker of this parliament has the right to decide in terms of time limits. The other day I think I stopped about four minutes early and sent everybody to lunch, and I think they were all very pleased that I did. There are many times when we go beyond the time.

Ultimately, I conclude where I began. If any member here supports this motion because somehow or other the sessional orders say that an absolute time is absolute, I remind them of what Socrates, a famous Greek, once said. He said, 'What is the truth?' How do we know what the time was at the time? Can somebody tell me that at that stage they could actually truthfully say, because the only person who can see the time is the Speaker himself? Nobody else can see it. The clocks do not work. The only person who can see the time is the Speaker himself. Let us not remove discretion from the Speaker. Let us get away from this trivia and nonsense and throw away this silly motion, because it has done this parliament no good. Members supporting it should ask themselves on what basis they support it, because it is not well founded.