

1. Inside the Queensland Parliament

Before Queensland was established as a separate colony in 1859 ‘separationist settlers’ in the Moreton Bay region had pushed for independence and self-rule. Ideas about self-government and the establishment of a local parliamentary democracy were important inspirations in the formation of colonial Queensland. Early settlers in the territory then known as ‘Northern Australia’, the ‘Northern Districts’ or ‘Cooksland’ showed a strong preference for separation from Sydney and New South Wales and campaigned vigorously for recognition as a new colony. Although nine representatives from the Moreton region sat in the NSW Assembly, separation from the ‘tightly-drawn’ strings of New South Wales became the subject of much local political activity and petitioning to the monarch after 1856 (Pugh 1859). The desire to create a local parliament was not, however, just a philosophical commitment to regional democracy and self-rule. Rather, it reflected an economic desire to manage their own interests, attract additional settlers and develop the northern lands themselves without waiting for the NSW governors to determine their fate. And, the emerging colonial political leaders were prepared to take on the risk of forming a new colony. They knew they would have to make a substantial material commitment over time and impose a major financial burden on the new colony to establish its embryonic political institutions. They also had to inherit a large public debt of some £20 000 as part of separation—the so-called ‘Moreton Bay Debt’, which was transferred from New South Wales to Queensland.

Although the issue of forming a further colony in northern Australia had been as contentious in London as it was in New South Wales, Queen Victoria signed the Letters Patent establishing ‘Queensland’ as a new colony in June 1859. She had apparently chosen the name herself, preferring ‘Her own Royal Title’ to any other contenders such as ‘Cooksland’. The first Governor, George Bowen, and his Colonial Secretary, Robert Herbert, then immediately set about exploring and developing the colony and planning the bicameral political system. A series of government public works was commissioned for the new colony with the priorities of construction reflecting the formal status of the day. First, the Governor was to be suitably housed in a splendid mansion alongside the Brisbane River, then the parliamentarians provided with two adjoining chambers. The Colonial Treasury and other government administrative offices were to complete the parliamentary compound in one interconnected building. This early desire for the institutions of self-government, however, almost drove the new colony bankrupt.

For a colony to be granted its own parliament and attendant institutions meant it had achieved political or strategic significance and was considered able to manage its own affairs. The main arguments for Britain granting self-government related to prevailing colonial development policies, local settlement patterns, the need for regional administration and military considerations. Britain was also anxious to ensure that the plethora of new colonies it was establishing would not be a drain on the Crown. Colonies were meant to be administratively self-financing and yet conducive to private enterprise. From the outset, self-government in Queensland was not premised on high democratic ideals of building a new political system or a more humane, tolerant society. It was also not based on political, religious or cultural differences or the desire to establish a more liberal 'paradise of dissent' as found in other colonies (see Pike 1967). Indeed, early attempts to establish Moreton Bay as a Protestant enclave (as J. D. Lang had attempted in 1849) were decidedly illiberal. There is scant evidence early Queenslanders were inspired by the liberating potential of the 'rights of man' or by the tolerance associated with a society based on 'civic humanism'. Rather, self-government was anchored on territorial identity, consociational values and geographical distance. Responsible and representative government were not symbolic of a commitment to democratic citizenship but to the incorporation of another colony of British 'subjects' into the unfolding Empire. And early notions of representation were based on producer representation rather than popular democracy. A parliamentary system was needed to attract and hold intending settlers and sustain settlement in the longer term. Queensland's Parliament, thus, began as an extension of a business venture, designed to facilitate investment and spur development in the new colony—a role it has maintained even to this day (see Government of Queensland 1909:Pt 1).

The Queensland Parliament was also intended to be a symbol of sovereign power in Queensland. Parliament would provide regional authority and recognition of the special needs of a largely tropical colony. The buildings housing the Parliament were to reflect this vision of confidence and authority. Housing a colonial and later state parliament, Queensland's Parliament House was planned as an impressive and distinctive edifice that would provide the society with a sense of legacy. The gracious structure was meant to convey confidence in the colony/state and the integrity of public office and public service. Here was a sign of wealth, prosperity and pioneering ambition. It was, however, also a sign of imperial values, colonialism and derivative styles; it served as a foundation stone of a largely Anglo-Irish-Scottish society within which many sections of the wider society were invisible, such as Indigenous and Islander peoples or the Kanaka cane workers. (Interestingly, because of the property qualification used as the basis of the state's electoral roll, a small number of Aborigines enjoyed the right to vote in colonial times, particularly in the 1880s and 1890s.)

Queensland's Parliament was and remains a blend of contradictions. It is part imperial, part colonial; part deferential yet often robust and defiant; sometimes exceedingly proper and rigid and at other times lax and rough and ready; pretentious and at times elitist but also with a streak of Antipodean egalitarianism. Anthony Trollope judged Queensland to be among the better colonial parliaments in the 1870s. Writing of his Australian and New Zealand experiences, the British novelist said: 'the Queensland Assembly has not been distinguished for rowdiness among colonial parliaments, and has held up its head, and done its work, and attained respect without which a parliament must be worthless' (Trollope 1873). Others though could be less kind—describing it as 'the wailing wall' that 'transacted its business at a very leisurely pace [and] for about half the year it lay empty' (Moles 1979:154–5). Throughout its history, the Queensland Parliament has served as an adversarial forum and a congenial club for members—certainly displaying the attributes until very recently of a 'gentleman's club', comprising white, elderly males who developed an institutional camaraderie or mateship—still often demonstrated by retired members in the Former Members' Association. It was also a parliament in which rural and urban and Protestant and Catholic denominations were regularly represented at the most senior levels.

Queensland has traditionally shown pride in its parliamentary heritage, if mainly out of habit or parochialism. From colonial times, parliaments were never intended to *be* governments, merely to enable governments to be formed. Indeed, the Constitution required it to meet but once a year, implying it was important that the assembly of representatives met but that it was not itself the standing government. Parliament was in effect an electoral college, choosing the government of the day, and a debating, grievance and scrutineering body. Restricted manhood suffrage was sufficient to ensure commitment to the polity—but not a model of democratic expression. From 1860, only domicile males over twenty-one years of age (and principally British) meeting property and residential requirements were entitled to vote, and this excluded itinerant workers, many labourers and 'wandering beggars'. Women were allowed to vote after 1905. In the first 50 years of self-rule, Queensland operated as a 'squatter democracy'. Various electoral devices were used to sustain elite patterns of representation (such as plural voting, giving landowners with multiple properties two or more votes, multi-member constituencies in which only the wealthy could nominate for election and first-past-the-post voting), until compulsory registration and compulsory voting were introduced in 1914 (for the 1915 election; see Campbell 1995). After that, the mechanics of the voting system, the adjustment of boundaries and the declaration of malapportioned 'zones' all became part of the accepted political spoils of office. Accordingly, electoral arrangements generally confirmed the survival of political regimes and incumbents rather than scrutinised governments or refreshed parliaments with

new blood (the two exceptions were the election of the radical Ryan government in 1915 and the significant renewal of the Parliament in 1989 with the incoming Goss government).

After Federation in 1901, state parliament was often relegated to performing perfunctory roles for powerful premiers and their state governments. Elsewhere in Australia, the standing of the Queensland Parliament as an institution was sometimes questioned, often treated with a degree of scepticism and occasionally the object of ridicule or the butt of jokes (see Chapter 15). A former Deputy Clerk of the Parliament admitted that the 'Queensland Parliament was not held in high esteem' throughout Australia and another political commentator, Peter Coaldrake (1989:66), stated that the 'appallingly lame condition of the Queensland parliament in terms of its ability to secure accountability is not entirely surprising'. Commonwealth colleagues tend to pay scant regard to state parliaments, some holding the view that the state chambers 'are not real parliaments'—implying that parliamentary sovereignty has passed solely to the Australian Parliament. For those who identify more with the states and support states' rights, these comments could be considered patronising or misguided. Outside views nevertheless inject another perspective: the Queensland Parliament has not generally been regarded throughout the twentieth century as a particularly diligent institution that has stood steadfastly for parliamentary sovereignty and maintained its own integrity. Beyond the Queensland borders, there is usually an appreciative recognition of the significance of the state government as a strong developer and regional administrator, but far less of the Queensland Parliament as a vibrant legislature making a contribution to Australian democracy.

The parliamentary buildings: colonial ambitions for a 'noble palace'

The first Queensland Parliament met on 22 May 1860 in temporary accommodation in the Old Convict Barracks situated at the upper end of Queen Street in the centre of Brisbane. Along with the Governor, the first colonial Parliament consisted of 26 elected members of the Legislative Assembly and 15 appointed members of the Legislative Council. The councillors were to be the equivalent of a board of directors consisting of investors and notables—and were originally intended to number 14, but Governor Bowen appointed four from Sydney and a further 11 from Brisbane (making 15 in total). At that time, the colony contained only 23 520 people (a ratio of population per representative of about 1500) and 4790 electors (giving a ratio of one representative to only 320 voters). The new Parliament immediately decided to build suitable accommodation for

the Governor just beyond the city centre along the river, adjacent to the present city Botanic Gardens.¹ The impressive two-storey Government House, complete with a large bay porch, was built between 1860 and 1862 and served as the residence of the Governor until a new Government House, 'Fernberg' at Bardon, was acquired by the Kidston government (initially through a lease arrangement in 1910 and then purchased the next year).

From the outset, the Parliament was intended and designed as a bicameral legislature. Construction of a new parliament building, on a conspicuous site in 'Queen's Park' (now the Botanic Gardens) south-west of George Street, began in earnest in 1864. Initial planning had been undertaken in 1863 by a parliamentary commission comprising equal numbers from both houses, and their preferred site on the river at the southernmost end of Brisbane was chosen to minimise the likelihood of fire and to be away from the hustle and bustle of the city. The commissioners called for a competition to design the structure of the new Parliament but received only four entries. Dissatisfied with progress and after delays and disagreements, the commission was abolished by the government (or in the vernacular of the day 'done away with'; *QPD* 1868:vol. 6, p. 612). So, from the start, the new Parliament was provided and supervised by executive government. Well before the first wing was completed, the new 'Parliament Houses' were the subject of controversy between members and the executive over the plans, unsatisfactory architecture, the unreliability of construction firms, slow completion, cost overruns, overdrawn accounts, extravagance and accommodation problems (and some of these concerns have percolated throughout its history). The front wing with the two chambers was sufficiently completed by 4 August 1868, when the delayed second session of the third Parliament was opened by the administrator or 'Acting Governor', Colonel Maurice O'Connell. Despite piles of debris, O'Connell, in opening the Parliament, described the 'noble' building as a 'future palace of the Legislature' (*QPD* 1868:vol. 7, p. 1).

The early intention of the planners was to design the parliamentary and government buildings around a quadrangle featuring an enclosed courtyard and internal verandas. With Government House located a short distance across the gardens, this hub would form part of a government precinct at the southern end of the city. The legislative wing containing two chambers of equal size would face north-east towards the Botanic Gardens, while parliamentary and 'public offices' were to occupy the south-eastern and north-western connecting arms (see the original plan of the New Houses of Parliament and Public Offices). A '*porte-cochere*' was to have graced the main entrance but was dispensed with due

1 The Governor had previously resided at the Government Resident's House at Newstead, which had been used to accommodate the 'government's resident' before self-rule and occasionally the NSW Governor when he was visiting the Moreton Bay settlement.

to costs (and then eventually added in the restoration of 1979–82; see Chapter 11). The main entrance provided access to both chambers and the parliamentary library via a ‘grand staircase’ decorated with stained-glass portraits of Queen Victoria, Prince Edward (later King Edward VII) and Princess Alexandra. Across the southern river-side of the building, the ‘Colonial Treasurer’s Department’ was to be located—ostensibly because it was felt that those with most need to be near the parliamentarians ought to be physically adjacent. Yet in conceiving such an integrated design, the colonial administrators already showed great difficulty separating the functions of parliament from those of the executive and colonial administration.

The plans for the Queensland Parliament envisaged a completed quadrangle structure operating as a composite whole. Conscious of the expense, however, the government was obliged to build it in stages. The architect of the original building and winner of the competition, Charles Tiffin, set out to combine a French renaissance style with inspiration from ‘revival classicism’ and some arcading concessions to the subtropical climate. The ribbed-zinc (and later copper) roof resembled the Louvre in Paris, open colonnades (added in 1880) graced the front wing underneath the chambers and external verandas surrounded the inner first floor alongside the chambers, offices and dining areas. Indeed, one of the early problems with the building was the glare and lack of shade, and since that time external windows have been bedecked with heavy internal blinds and shades.² The masonry of the old wing was crafted from Goodna sandstone possessing a slightly pinkish hue. In elevation, the three-storey walls reflected a colonial utilitarianism or military barrack style with an eye to regency simplicity (some of which could have emerged in the process of construction as some of the masons were recruited immediately after building jail walls). Ornate wrought-iron apex embellishments crowned the roof ridges of the main chambers, adding to the grandeur of the four domed roofs against the skyline.

The grand intentions of the planners were, however, compromised before even the first wing was complete. The cost escalations and economic recessions curtailed ambitions and the more elaborate features of the building were jettisoned. The architect was recalled and told to modify the project and a second firm of builders (John Petrie) was contracted to finish the first wing. With the north-eastern wing unfinished, the three other wings were cancelled.

2 Members frequently complained of the heat inside the Chamber—especially when combined with the traditional standards of dress inherited largely from the British Parliament. In the decades before airconditioning, the fishbowl-like Chamber produced conditions that were at times stifling in Brisbane’s subtropical heat. It was not unusual for members to complain about the dress code. For instance, John Herbert (Lib., Sherwood) argued Queensland parliamentarians ‘cling to the dress worn by our forefathers who came from countries where there was snow on the ground’; he also suggested, ‘if members of Parliament made a move on dress reform in Queensland, I am sure that thousands of perspiring citizens would be happy to follow suit’ (*QPD* 1957:vol. 218, p. 592).

government and speaker continued to insist that intended questions be written down and presented to the Speaker beforehand. In more recent times, questions without notice may be asked from the floor of the Assembly by catching the eye of the Speaker, although certain protocols and an approximate order are still observed. These questions are asked without prior warning of the topic to the relevant minister—a tradition observed in practice only by the opposition members. Government members also may ask questions but these tend to be rehearsed ‘Dorothy Dixers’ usually prepared by a team of political advisers and shown to the ministry beforehand. Such lame questions typically seek ‘good news’ responses from selected ministers and, some would argue, tend to be a discreditable waste of the Parliament’s precious time. Members were, however, permitted only two questions on any sitting day. These could be supplemented with written questions on notice—to be answered by ministers and their staff within 30 days. Members may also ask questions of any other member (who is not a minister) provided the question relates to a bill, a motion or a member’s specific responsibility for a ‘public matter connected with the business of the House’.

Question time lasts no more than one hour and on specific days must finish by noon (for example, when matters of public interest are being discussed or the Address in Reply is debated). This is followed by the formal ‘Orders of the Day’, which consist of government business (proposed bills or other matters of interest to the government). Members may also propose a matter of public importance by writing to the Speaker (but not less than one hour before the House meets on sitting days), who, if sufficient cause is given, can allow the House’s order of business to be delayed while the matter is discussed. There is a time limit on such matters of public importance and ministers (usually the Leader of the House as the leader of government business) may gag such matters at any time by moving ‘[t]hat the House do pass to the next business’ (*Standing Rules and Orders*, 1995, no. 137).

Opportunities for questioning government ministers, airing grievances and debating issues of public importance are significant components of the Parliament’s role in the political system. It can appear to an observer that a grievance debate or question time is bluff and banter, but the right to challenge the government, criticise, propose alternatives and raise concerns is a fundamental right in parliamentary systems. To guarantee debate and the exchange of views, the quorum or minimum number of members required to be in the Chamber at any time is only 16—a figure unchanged since the nineteenth century, although the EARC recommended in 1993 that this be increased to 23 (a recommendation not as yet implemented).

The legislative process is one of parliament’s operational functions. Legislation is introduced (almost exclusively by government ministers) after being drafted

by the Parliamentary Counsel in consultation with the relevant department. Parliament considers the bill according to conventional practice, which subdivides consideration into a number of discrete stages or 'readings'. Although called 'readings', the bills are no longer read out in full to the Parliament but written copies are provided for the perusal of members. Usually the bills were presented to members before the debate began, but occasionally not (for example, the 1965 *Thiess Peabody Mitsui Coal Pty Ltd Agreements Act* was presented to the Parliament before it was even printed, let alone circulated to members, and the *Aurukun Associates Agreement Bill 1975* was initiated six days before the opposition was allowed to see the text; see *Courier-Mail*, 14 April 1976). Sometimes allegations were made by opposition critics that the press had access to bills well before they as parliamentarians did.

The minister responsible for the legislation usually introduces the bill. During most of the period of this history (before 1980), the Parliament would engage in a 'first reading debate' at which the government would justify the need for the bill and defend its clauses, but the opposition would have no time to digest the bill or prepare its case (the Leader of the Opposition would often initiate a reply). The old first reading debate was often regarded as a pointless exercise. In 1973, the governmental parties proposed to eliminate the first reading debate but this did not get through the Standing Orders Committee. Since 1980, the first reading has consisted of the title of the bill being introduced by a motion from the relevant minister, who would then proceed directly to the 'second reading', which outlined the rationale for the legislation. At this stage, the debate would be adjourned and no immediate debate would follow. The debate on the bill would be resumed some days later after the opposition (and government members) had had time to read and think about the bill's content. Hence, the main debate on the bill now takes place in the second reading stage when not only does the minister present the government's reasons for introducing the measure, he or she outlines the principles and purposes of the key provisions. At this stage, the Parliament then debates the merits of the proposed legislation and the opposition has the opportunity to criticise the principles of the bill. Throughout the period covered in this history, members discussed the legislation as a 'Committee of the Whole' (that is, without the Speaker in the chair and with all members present rather than a specialised committee process). In 'committee', members could propose changes to the details of a bill and debate the bill clause by clause. The opposition (and any other member, government or independent) then had an opportunity to comment on the bill (but often at short notice since usually they were given the bill only a matter of days before it was discussed). At the second reading stage, members then could endorse, criticise or propose amendments to the provisions. The relevant minister would then provide responses and answer

questions (accepting or rejecting any amendments). The final 'third reading' was usually only perfunctory but provided the last opportunity for the Parliament to reject the bill (which was unlikely if it had passed the second reading).

If passed (with whatever amendments were agreed to, including any the government might move), the legislation then proceeded to the stage of royal assent (authorisation by the Crown—usually the Governor, except in rare cases when bills were reserved for the signature of the Sovereign). Since 1986 and the *Australia Act*, bills are rarely reserved for assent by the Monarch but are instead assented to by the Governor. After receiving assent, an act will generally be proclaimed on a date fixed by the legislation and announced in the *Government Gazette*. With sufficient urgency and the use of guillotine tactics (cutting short debate by closure motions), legislation can be passed through all three stages in one day.

Another of the Parliament's main functions is to appropriate expenditure and authorise proposed budgetary expenditure required by the government for the year ahead. Appropriation bills are necessary to secure funds (taxes and charges) to enable the government to function. These now are aligned with the financial year (that is, they are presented and passed before the start of the budget year). Previously, supply bills were required to allow the government to function before its budget was passed. The Treasurer presents the annual budget documents and financial statements in the budget session of parliament (previously they were presented at the beginning of August but since 1994 this has usually been brought forward to May/June so as to be passed before the financial year starts). Budgets outline the government's priorities shown in terms of planned expenditure and revenue projections for the year ahead. From the 1950s to 1993, budget estimates were scrutinised only by the Parliament acting as a Committee of the Whole (that is, not scrutinised by separate specialised estimates committees) and usually debating only the estimates from a few selected departments. Budget debates were thus historically very general and largely ineffectual. Since 1994, a system of estimates committees has been adopted, whereby the proposed expenditures of each portfolio are examined by one of seven committees in public hearings.

Offices and positions of the Parliament

Governor

The Sovereign as head of state, and represented by the Governor, constitutes a formal part of the Parliament. The Governor, however, usually takes part only in ceremonial parliamentary functions and in performing ceremonial duties in

giving the assent to legislation. The Governor nevertheless is a formal figure of authority. The role and duties of the Governor were inherited from Westminster conventions and in some cases codified in specific legislation. In the early days of Queensland's history, the Governor was a powerful figure with significant decision-making powers and the capacity to make personal appointments (including even to the Legislative Council). Today, these substantive powers have passed almost entirely to the executive with the Governor maintaining a nominal but formal role. The Crown (rather than the people) still summons the Parliament to meet and dissolves the Parliament when necessary. The Governor commissions ministers (usually twice, first as portfolio ministers with areas of responsibility and second as members of the Executive Council) and may dismiss them or replace them subject to advice, election results or the confidence of the House. Governors may, under extreme circumstances, exercise reserve or original powers and dismiss ministers without advice (for instance, if a premier or minister is corrupt or acting illegally).

The Governor is a member of the Executive Council—formally a council of senior ministers advising the Crown in relation to executive decisions but subject and accountable to the Parliament (that is, the doctrine of parliamentary sovereignty is supreme rather than crown sovereignty based on the divine right of kings). Governors are, however, typically not part of the deliberative or decision-making process of the executive. They serve as both a final stage of approval and a formal authorisation of decisions. Conventionally, the Governor takes the advice of the Chief Minister (Premier) and the Executive Council, but may take advice from others (for example, the Chief Justice or opposition members). The powers of the Governor were clarified and entrenched in the *Constitution Act Amendment Act 1977*, in which it was provided that the Governor was not subject to the direction of any one source (for example, a premier) and was not limited in terms of sources of advice but may consult whomsoever he or she wished.

Government ministers are ministers of the Crown and act under the authority or in the name of the Governor, but generally the Governor is neither involved nor informed unless final consent is formally required—even with legislative powers delegated to the Governor-in-Council. Such conventions do not prevent the Governor being more actively involved—asking questions, seeking advice or requesting to be informed by ministers or other officers. The danger in the Governor being more activist is that the office of Governor may tend to become more political, whereas conventions of constitutional monarchy hold that the representative of the Crown should remain above political matters and any close involvement in specific decisions (hence the Crown cannot be blamed for decisions or actions but ministers and governments can). In recent years, some

governors have requested regular briefings from ministers about government policy and intentions and these have been provided even though such behaviour could establish new conventions.

Over the period of this history, the office of the Governor has been enmeshed in five evolving points of controversy: whether appointees should be British or local; whether male or female; what powers they should exercise; whether they should speak out; and whether the position should remain imperial, become republican or be abolished altogether. In the 1950s and early 1960s, the issue of whether governors should be British or Australian attracted debate, with the opposition Labor Party advocating strongly that only Australians should be appointed. Opposition Leader Jack Duggan's Address-in-Reply speech (*QPD* 1962:vol. 233, p. 73) congratulated the British-born Governor, Sir Henry Abel Smith, on his reappointment to a further four-year term but noted that if British appointees were to be asked to be state governors then a 'reciprocal arrangement' should be devised so that Australians could be appointed to other parts of the realm. Since Abel Smith's term ended in 1966, all subsequent Queensland governors/administrators (Sir Alan Mansfield, Air Marshal Sir Colin Hannah, Commodore Sir James Ramsay and Sir Walter Campbell) have been born in Australia—until Leneen Forde, who was Canadian by birth, but related by marriage to Frank Forde, a former Australian Prime Minister. Her successor, Major-General Peter Arnison AC, was also Australian born. Second, the gender of the Governor increasingly became an issue—especially in the 1980s—culminating in the appointment of the first woman Governor, Leneen Forde AC, in 1992. Forde was not only the first woman to hold the job, she was the first non-imperial titled Governor since 1877. The Beattie government appointed a second woman, Queensland-born Quentin Bryce AC, to the position in 2003, after initially suggesting the government would hold a democratic election for the Governor's position. The third successive female Governor, Penelope Wensley AO, also a Queenslander by birth, was appointed in 2008.

Third, the question of whether governors should speak out or make partisan statements became an issue after Sir Colin Hannah (a Bjelke-Petersen appointment) made statements critical of the federal Whitlam government in the mid-1970s (see Chapter 10). His comments were perceived as breaching conventions requiring the Governor to refrain from political comment. Although the government moved to reappoint the Governor to a further term, the move was considered controversial.

Fourth, periodically the scope of the Governor's reserve powers has come into question, usually in circumstances in which the Governor was faced with instability in the Parliament (for example, the Coalition crisis in 1983, the removal of Premier Bjelke-Petersen in 1987 and the close election or tied outcome of the Parliament in 1995–96). And fifth, increasing questions were

raised about whether the office of governor was in fact needed at the state level, or whether as part of the wider republican movement, state governors could be either replaced by some form of president (state or national, elected or appointed) or indeed abolished as a head of state and with the relevant duties given to the Speaker and possibly the Chief Justice.

Speaker

The Speaker is ranked the most senior Member of the House and performs three main functions (other more historical and normative accounts of the roles of parliamentary officers are included in Lack 1962). The Speaker acts as the spokesperson for the Parliament and represents parliament to the Governor or Queen (and other bodies). He or she serves as the presiding chair over the debates in the Legislative Assembly (enjoying a casting rather than deliberative vote on some matters). The Speaker is also effectively the 'Minister of Parliament' responsible for the Department of Parliament as a functioning public service agency and is assisted by a Deputy Speaker (also called 'Chairman of Committees'), who takes the chair at the discretion of the Speaker (also temporary chairs from both sides of the Chamber are available as reserves). Each new parliament elects or re-elects a speaker who, once elected, is appointed to officiate at the summoning of the Parliament. Since 1978, the Parliamentary Mace has become the symbol of the Speaker's authority from the Crown. The Queensland Parliament adopted the mace only recently, in 1978, and before that (as in most colonial parliaments), the Speaker's warrant was the basis of authority and the Parliament's privilege. Made in Birmingham, in the United Kingdom, the Queensland mace was presented to the Parliament by the 'Government of Queensland' whose name appears on the head of the mace across the base of the crown. According to the Premier at the time, Joh Bjelke-Petersen, this mace would now represent the authority of the Parliament and remind the Parliament of 'the importance to democracy of a supreme Legislature to which the executive branch of government is fully responsible' (*QPD* 1978:vol. 276, p. 3049). Today, the mace is carried before the Speaker by the Sergeant-at-Arms to open the Parliament and at the beginning of each sitting day. The mace sits in brackets on the centre table, representing the authority of the Speaker. If the Speaker deliberately removes or withdraws the mace for any reason (other than that the House has resolved itself into a 'Committee of the Whole House') then the Parliament is technically adjourned and no longer sitting.

Traditionally, the Speaker was charged with the full authority of the Parliament and with being impartial in relation to the debates and proceedings. As in other Australian jurisdictions (and unlike Britain), however, in Queensland, the Speaker does not resign from his/her political party and does not refrain from partisan politics outside the chair of the Chamber. Indeed, speakers may

vote on issues (including gag motions and adjournments) when votes are tied, and the Speaker as an ordinary member may vote on issues when the House is in its Committee of the Whole mode. Moreover, governing parties select their preferred candidate for the job and thus far since the advent of modern political parties no speaker has come from the opposition side. Candidates for speaker are often senior party identities who narrowly missed out on the ministry, rather than adherents committed to an independent Parliament. Parties and members often regard the Speakership as one of the spoils of office, with ministerial salary and perks and a much less onerous set of responsibilities than a ministerial appointment. This has meant that the job of speaker tended to be viewed as simply another 'prize' to be enjoyed by one of the government worthies, and often in the past by someone not likely to give offence to the Premier or ministry (see Coaldrake 1989:69). The dilemma in this situation is that the Speaker may have little real independence from the party or government and may find in the House that their authority can be undermined or questioned by strong premiers or others of the executive. Any member can challenge a speaker's ruling by appealing to the House, although in practice it is mostly the opposition that resorts to this. Governments usually support the Speaker's ruling as a matter of course, but if a number of Speaker's rulings were overturned by votes of the House this could indicate a loss of confidence in the presiding incumbent. Some speakers—most notably Jim Houghton (1974–79)—attempted to reinvigorate the role of the State Parliament, but others have presided over its enervation or were blissfully ignorant of their responsibilities in office. Selwyn Muller, Speaker from 1979 to 1983, once ventured that in his opinion, the Speaker's role was 'to apply the wishes of the government he represents' (Charlton 1983:90; Coaldrake 1989:70).

The equivalent position to the Speaker in the upper house, the President of the Legislative Council, was abolished in 1922, as was the Clerk of the Legislative Council and Usher of the Black Rod. The Usher of the Black Rod was drawn from Westminster traditions where the position was a personal appointment of the Crown whose job was to act as a messenger and escort the Monarch when visiting the Parliament—including knocking on the door of the lower chamber to summon representatives. Queensland's black rod, unused since 1922, is preserved in a glass case in the foyer between the two chambers, but has no formal use.

Leader of the House

On the government side, the Leader of the House is responsible for the order, organisation and arrangement of government business through the House. Any changes to the program of business on sitting days or the daily order of business are in the hands of the government's leader, who is by convention a senior

minister and often an astute tactician (although non-ministers have occupied this position). The position of Leader of the House was established in the mid-1970s during the Bjelke-Petersen era, because the Premier preferred to entrust the business of the House to a senior minister rather than to the whips as had occurred previously (Reynolds 1997). More recently, the House leader is also the chair of the Parliamentary Business and Legislative Committee of cabinet, which decides the order and priority of government legislation (and may discuss tactics for presentation). The smooth passage of the government's business through the Parliament is the responsibility of the Leader of the House (and not the Speaker). The Government Whip and Deputy Whip assist the Leader of the House with tactics, agendas and the listing of speakers for topics. Whips also have the responsibility of ensuring members are in the House for divisions and votes, ensuring that sufficient members from their side are in the Chamber for debates and, in the case of the government, maintaining a quorum. Whips also serve as the 'number-crunchers' within the party room or caucus and act as 'sensors' of backbench feeling towards the party leadership (and frontbench).

Parliamentary opposition

The Loyal Opposition has both formal and potential parliamentary roles. It is there to scrutinise government performance and hold the government accountable for its actions or inactions. It is expected to ensure that government members, and especially ministers, are held to account and act with honesty and integrity. The extent to which the opposition has the potential to fulfil its expected scrutiny role is, however, often limited because it might not be able to make much headway against the government numbers in the House. The other role for the Loyal Opposition is in preparing itself for government—as an alternative ministry. It should use the time in opposition 'schooling itself for the responsibility of office when its turn comes to carry on the Queen's government' (Queensland Treasury 1982:21). Shadow ministers are expected to familiarise themselves with portfolio areas, shadowing government ministers and providing alternative options or policies.

Parliamentary committees

Parliamentary committees have not been significant during most of the Queensland Parliament's history—certainly not throughout the period surveyed in this book. Indeed, the government was frequently criticised for not adopting more elaborate committee processes for scrutinising areas of expenditure (statutory committees such as public accounts or public works) or specific topics (select committees). The main parliamentary committees during the 1950s to 1980s were 'house committees', looking after member facilities

and the Parliament as an institution, such as: the Standing Orders Committee, Library Committee, Refreshment Rooms Committee, Parliamentary Buildings Committee and Printing Committee. These committees did not examine wider spheres of government administration nor did they undertake an onerous internal workload; the Standing Orders Committee, although appointed for each parliament, did not in fact meet between 1962 and 1982 (Coaldrake 1989:59). A standing committee to consider subordinate legislation was established in the mid-1970s. Only at the end of the period did statutory parliamentary committees make an appearance (in particular, after Bjelke-Petersen was ousted as premier), and only after an earlier bitter struggle within the Coalition about the lack of parliamentary accountability.

A few select committees (established for a particular purpose but usually lapsing at the end of the parliamentary session) were important during the period of this history. For instance, in 1974, a Select Committee on Punishment of Crimes of Violence in Queensland was established and in 1978 a Select Committee on Education in Queensland was active for a couple of years in reviewing provision and researching curriculum issues.

The Clerk of the Parliament

The Clerk of Parliament is the most senior permanent appointee of the Parliament and head of the parliamentary staff. The Clerk is, in effect, the chief executive officer of the organisation. The Clerk serves as the manager of the Parliament subject to the Speaker and to the relevant acts governing parliament (and for a short time was also subject to the Parliamentary Services Commission—a tripartite committee charged with overseeing the Parliament in existence between 1988 and 1995; see Moroney 1998). The Clerk's principal duties are to provide advice and guidance on parliamentary matters to the Speaker, the Chair of Committees, the Leader of the House, ministers, the opposition frontbench and other members. The Clerk is the custodian of all documents produced by or tabled in the Parliament and is responsible for certifying the accuracy and authenticity of bills. As the chief executive of the Parliament, the Clerk is in charge of all parliamentary and administrative staff and is the accountable officer for all expenditure. While parliament is sitting, the specific responsibilities of the Clerk are to facilitate the procedural operations of parliament as a deliberative institution: performing functions in relation to standard operating procedures, the observance of *Standing Orders*, ensuring that the proceedings of parliament are recorded, issuing agendas of daily business as decided by the Leader of the House and authorising the minutes of proceedings. Although two officials sat at the table (the Clerk and another official), in 1992, a Deputy Clerk position was formally created to assist the Clerk with these functions. The deputy sat with the Clerk at the table in the Assembly and was also able to provide advice

to members. In 1996, the Deputy Clerk's position was abolished as part of a 'restructuring' but was re-established in 1999 (this post was sometimes called the Clerk Assistant or the Deputy Clerk Assistant). The Sergeant-at-Arms is responsible for carrying the mace to and from the table each day the Parliament is in session, although in practice this position was sometimes merged with that of the Clerk Assistant (between 1922 and 1978), and Deputy Clerk Assistant (from 1981 to 1992).

Other parliamentary officers

Hansard reporters record all proceedings of the Parliament and produce the *Queensland Parliamentary Debates (QPD or Hansard)*, a transcript of the debates, speeches and questions. *Hansard* is a record of what is said in the Assembly and a specialist stenographic staff transcribes and prepares each volume of debates. The *Votes and Proceedings of Parliament* once constituted the official record of the Parliament and a record of what was done in the Parliament. The *Votes and Proceedings* were produced and authorised by the Clerk and the Speaker. Since 2007, the *Hansard* and *Votes and Proceedings* have been merged into one record called the *Record of Proceedings*, which is now a complete record of the business of the Parliament.

The Parliamentary Librarian manages the Parliamentary Library and services the information needs of members. The librarian has to ensure that requests can be handled expeditiously and that the library collection is adequate. A diverse group of other officers form the complement of the Parliament as a working institution, including: the table officers, protocol staff, education officers, property services and catering staff, information services providers, security officers, gardeners and parliamentary attendants, and corporate service personnel from finance to human resource management. The Parliament also relies on a series of other specialised officers based in the executive, such as the Parliamentary Counsel responsible for drafting and advising on the precise form of legislation coming before the Chamber.

In conclusion, the Queensland Parliament might seem an unorthodox institution, with pedantic and at times archaic rules, proceedings and practices. At one level, it is. It should be remembered, however, that the Parliament is a political institution of the people's representatives, who come together to fulfil a number of roles and functions: the adherence to its constitutional responsibilities, the expression of democracy and the representation of the electorate, the formulation of a government (and usually an alternative government), the extent of 'confidence' in that government, the scrutiny and authorisation of legislation, the legal appropriation of expenditures and relevant taxation, the questioning of ministers (and occasionally other members), the debating of grievances and

matters of public importance, the investigation of all manner of issues of public policy and on very rare occasions some judicial functions. The Parliament is part ceremonial and symbolic, part law-making and law amending.