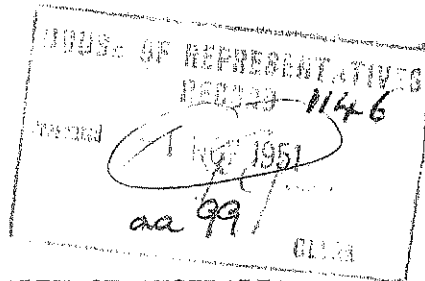


1951.



THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

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HOUSE OF REPRESENTATIVES.

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R E P O R T

from the

STANDING COMMITTEE

of

PRIVILEGES

relating to

AN ARTICLE WRITTEN BY THE CHIEF OF  
THE SUN CANBERRA BUREAU, APPEARING  
IN THE SYDNEY NEWSPAPER THE SUN OF  
THE 2ND OCTOBER, 1951.

together with

Minutes of Proceedings of the Committee.

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EXTRACTS FROM THE VOTES AND PROCEEDINGS.

- - - - -  
No. 9 of 28th June, 1951.

9. COMMITTEE OF PRIVILEGES.- Mr. Harrison (Vice-President of the Executive Council) moved, by leave, That Mr. Clark, Mr. Evatt, Mr. McDonald, Mr. McLeay, Mr. Sheehan, Mr. Swartz and Mr. Turnbull be members of the Committee of Privileges; five to form a quorum.

Question - put and passed.

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No. 22 of 3rd October, 1951.

2. PRIVILEGE - NEWSPAPER MISREPRESENTATION OF MEMBERS OF THE HOUSE.- Mr. Corser raised a matter of Privilege based on a Statement in the Sydney newspaper The Sun of the 2nd October, 1951, regarding Members' purchases in the Parliamentary Refreshment Rooms. Mr. Corser having produced a copy of the paper containing the statement and having given the name of the printer and publisher, moved, That the Committee of Privileges give early consideration to the comments by the Chief of The Sun Canberra Bureau appearing in The Sun of the 2nd October, 1951, printed and published in Sydney, and report on -

- (1) the truth, or otherwise, of the impressions conveyed by the article;
- (2) the privileges extended by the House Committee to the writer of the article, and to all others who work within the precincts of Parliament House;
- (3) the wisdom or otherwise of continuing the extension of privileges to others than Members of the Parliament.

Debate ensued.

Question - put and passed.

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No. 23 of 4th October, 1951.

4. COMMITTEE OF PRIVILEGES.- Mr. Eric J. Harrison (Vice-President of the Executive Council) moved, by leave, That the Committee of Privileges have leave to sit during the sittings of the House.

Question - put and passed.  
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## MINUTES OF PROCEEDINGS.

Parliament House, Canberra.

Thursday, 4th October, 1951.

- - - - -

Present:

Mr. J. J. Clark  
 Mr. A. M. McDonald  
 Mr. J. McLeay

Mr. T. Sheehan  
 Mr. R. W. C. Swartz  
 Mr. W. G. Turnbull

The Entries in the Votes and Proceedings of the House of Representatives No. 9 of 28th June, 1951, recording the appointment of Members of the Committee; No. 22 of 3rd October, 1951, recording the Resolution referring to the Committee for report a matter of Privilege raised by Mr. Corser; and No. 23 of 4th October, 1951, in connection with sittings of the Committee, were read by the Clerk of Committees.

On the motion of Mr. McLeay, Mr. McDonald was elected Chairman.

The Committee deliberated.

Ordered - That the Clerk of the House of Representatives and a representative from the Joint House Department, be asked to attend the Committee on Tuesday, the 16th October, 1951, to submit evidence relevant to the matter referred to the Committee.

The Committee adjourned.

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 Tuesday, 16th October, 1951.

Present:

Mr. McDonald (Chairman)

Mr. Clark  
 Mr. Evatt  
 Mr. McLeay

Mr. Sheehan  
 Mr. Swartz  
 Mr. Turnbull

The Minutes of the previous meeting were read and confirmed.

F. C. Green, M.C., Clerk of the House of Representatives, and R. W. Hillyer, Chief Clerk and Accountant, Joint House Department, were separately called and informally examined.

The Committee deliberated.

The Committee adjourned.

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 Wednesday, 17th October, 1951.

Present:

Mr. McDonald (Chairman)

Mr. Clark  
 Mr. Evatt  
 Mr. McLeay

Mr. Sheehan  
 Mr. Swartz  
 Mr. Turnbull

The Minutes of the previous meeting were read and confirmed.

The Hon. A. G. Cameron, M.P., Speaker of the House of Representatives, having been invited by the Committee to attend the meeting, conferred informally with the Committee.

The Committee deliberated.

Ordered: That Mr. Alan Reid, Chief of The Sun Canberra Bureau, be requested to attend the Committee at 4 p.m. on Tuesday, the 23rd October, 1951.

The Committee adjourned.

Tuesday, 23rd October, 1951.

Present:

Mr. McDonald (Chairman)  
Mr. Clark                      Mr. Swartz  
Mr. McLeay                     Mr. Turnbull  
Mr. Sheehan

The Minutes of the previous meeting were read and confirmed.

Alan Douglas Reid, Chief of The Sun Canberra Bureau, was called, sworn and examined.

Witness withdrew.

The Committee deliberated.

Ordered - That the Chairman prepare a Draft Report for consideration at the next meeting.  
.....

The Committee adjourned.

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Thursday, 25th October, 1951.

Present:

Mr. McDonald (Chairman)  
Mr. Clark                      Mr. Swartz  
Mr. McLeay                     Mr. Turnbull  
Mr. Sheehan

The Minutes of the previous meeting were read and confirmed.

The Chairman submitted a Draft Report in connection with the article appearing in The Sun of the 2nd October, 1951.

Ordered - That consideration of the Draft Report be postponed until the next meeting.

The Committee adjourned.

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Wednesday, 31st October, 1951.

Present:

Mr. McDonald (Chairman)  
Mr. Clark                      Mr. Swartz  
Mr. McLeay                     Mr. Turnbull  
Mr. Sheehan

The Minutes of the previous meeting were read and confirmed.

The Draft Report in connection with the article appearing in The Sun of the 2nd October, 1951, as submitted to the previous meeting, was considered, and agreed to, as amended.

.....

The Committee adjourned.

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R E P O R T.

On the 3rd October, 1951, Mr. B.H. Corser raised a matter of Privilege in the House of Representatives based on an article published in the Sydney newspaper The Sun of the 2nd October, 1951 (see Appendix "A"), and, on the motion of Mr. Corser, the matter was referred to the Committee of Privileges in the following terms :-

"That the Committee of Privileges give early consideration to the comments by the Chief of The Sun Canberra Bureau appearing in The Sun newspaper of the 2nd October, 1951, printed and published in Sydney, and report on -

- (1) the truth, or otherwise, of the impressions conveyed by the article;
- (2) the privileges extended by the House Committee to the writer of the article, and to all others who work within the precincts of Parliament House;
- (3) the wisdom or otherwise of continuing the extension of privileges to others than Members of the Parliament."

2. The Committee of Privileges is appointed under Standing Order No. 24 for the purpose of inquiring into and reporting upon complaints of breach of privilege which may be referred to it by the House. It is accordingly the view of the Committee that, this matter having been referred to the Committee of Privileges, the principal question to be determined by this Committee is whether, in its opinion, the article complained of does constitute a breach of privilege.

3. Section 49 of the Constitution provides that the powers, privileges and immunities of the Senate and of the House of Representatives, and of the Members and the Committees of each House, shall be such as are declared by the Parliament, and until declared shall be those of the Commons House of Parliament of the United Kingdom, and of its Members and Committees, at the establishment of the Commonwealth. As the privileges of the Commonwealth Parliament have not been defined by statute, it is necessary to refer to the practice of the House of Commons. Relevant extracts from May's Parliamentary Practice, 15th Ed. are quoted hereunder :-

"In 1701 the House of Commons resolved that to print or publish any books or libels reflecting on the proceedings of the House is a high violation of the rights and privileges of the House, and indignities offered to their House by words spoken or writings published reflecting on its character or proceedings have been constantly punished by both the Lords and the Commons upon the principle that such acts tend to obstruct the Houses in the performance of their functions by diminishing the respect due to them.

"Reflections upon Members, the particular individuals not being named or otherwise indicated, are equivalent to reflections on the House." (p.117).

"Analogous to molestation of Members on account of their behaviour in Parliament are speeches and writings reflecting upon their conduct as Members." (p. 125).

4. In a comparatively recent case which came before the Privileges Committee of the House of Commons it was stated by the then Clerk of the House of Commons, Sir Gilbert Campion, G.C.B. (now Lord Campion) that -

"Aspersions on the general conduct of Members are not reflections involving breach of privilege, unless they relate to the actual transaction of the business of the House (including any Committee of the House)." (a)

5. Thus it is that the statements in The Sun article which are of foremost importance are those which deal with the conduct of Members in their parliamentary capacity.

6. The definite statements are made that -

"Within minutes of the Budget details being announced and Members learning that whisky, other spirits, cigarettes and shaving gear were to be dearer, there was a concerted onslaught on the parliamentary bar."

and

"the mass movement from the chambers of the House of Representatives and the Senate to the bar is a further manifestation of the manner in which members would prefer to see Parliament House function."

The only construction that can be placed upon these statements is that Members en masse neglected the business of the House, forsook their parliamentary duties, and participated in the so-called "inglorious and undignified rush" to the liquor bar. Such an imputation is completely erroneous, and in the opinion of the Committee, grossly reflects on the parliamentary conduct of Members.

7. Subsequently it is stated -

"Just as a man cannot be a hero to his valet, the Parliamentarians are no heroes to a staff that sees those MP's sweat and toil for every privilege and concession that is obtainable and then go into the Chamber and denounce the evils of privilege and concession."

This further imputation in effect charges Members with carrying out their Parliamentary duties in a completely hypocritical manner. It is regarded by the Committee as not only a serious reflection on the character of members individually, but also on the manner in which the business of the House is transacted.

8. It is the view of the Committee that, having regard to the principles of privilege laid down in respect to reflections upon Members, the statements quoted above are a breach of privilege

9. The article as a whole, with its accompanying cartoon and captions, conveys an impression that Members generally within the precincts of the House show more interest in the procurement of liquor and tobacco supplies than they do in their official duties. The Committee considers that the statements made in this respect are grossly exaggerated and erroneous in their implications, and consequently convey a false impression.

10. The staff overtime rates which are mentioned in the article are in accordance with the rates specified in the Public

(a) House of Commons Paper 138 (1946-7), p. 126.

## Service (Parliamentary Officers) Regulations.

11. Mr. Reid, the writer of the article, appeared before the Committee as a witness. With the exception of the cartoon and the captions, he accepted full responsibility for the views expressed in the article. In the opinion of the Committee he was not able to substantiate satisfactorily the accuracy of many of the allegations contained in the article. In evidence he admitted that his use of the word "mass" in relation to the alleged movement to the bar was "unfortunate". The witness estimated that the Members of both Houses whom he had thus observed, over a period of some hours, numbered about eighteen. Other statements appear to be based on hearsay evidence, or conjecture, the authenticity of which is not proved.

12. While holding the view that the article, to the extent indicated, is a breach of privilege, the Committee does not recommend that any punitive action should be contemplated against the writer. The article is in poor taste; whilst not wholly untrue, its many distortions and exaggerations classify it as irresponsible. The Committee considers that the House would best serve its own dignity by taking no further action in the matter.

13. Parts 2 and 3 of the Resolution of the House referring this matter to the Committee refer to the matter of privileges extended by the House Committee to others than Members of the Parliament. "Privileges" in this instance relate to services provided by the Parliamentary Refreshment Rooms. Such matters come within the prerogative of the House Committee and do not, under Standing Order No. 24, appear to come within the functions of the Committee of Privileges.

14. Following the Resolution of the House referring this matter to the Committee of Privileges for inquiry, the following resolution was passed at a special meeting of the Federal Parliamentary Press Gallery:-

"The Federal Parliamentary Press Gallery supports wholeheartedly anything that helps to preserve the dignity of the Parliament and, at the same time, it defends the right of members of the Federal Parliamentary Press Gallery to report fairly and accurately and to comment fairly and accurately on the proceedings of the House or on happenings within the precincts of the House.

"Furthermore, without presuming in any way to say whether or not the article in question constitutes a breach of privilege, the Gallery declares its belief that the facts contained in it are correct, either on the evidence of some members of the Gallery in respect to some of the allegations, or as matters of common knowledge in others".

This Resolution was transmitted to the Committee by the President and Secretary of the Gallery. Whilst refraining from commenting on the propriety of the Press Gallery in attempting to pre-judge the issue, the Committee expresses its opinion that the Gallery does itself little credit in lending its support to an article of the nature written by Mr. Reid.

15. During its inquiries, the Committee informally conferred with the Hon. A.G. Cameron, M.P. (Speaker of the House of Representatives), Mr. F.C. Green, M.C. (Clerk of the House of Representatives) and Mr. R.W. Hillyer (Chief Clerk and Accountant, Joint House Department). Mr. Alan Douglas Reid attended the Committee as a witness and was formally examined. A copy of the minutes of Evidence taken and copies of statements supplied to the Committee by Mr. Speaker and the Clerk of the House have been

tabled in the Library for the information of honorable Members.

Conclusions.

16. (a) That in respect to the statements referred to in paragraphs 6 and 7 of this report, the Committee considers that a breach of privilege has been committed.
- (b) That the article, while not wholly untrue, contains statements regarding the conduct of Members which are grossly exaggerated and erroneous in their implications, and consequently conveys a false impression.
- (c) That the Committee does not recommend the taking of punitive action against the writer of the article; it considers that the House would best serve its own dignity by taking no further action in the matter.
- (d) That Parts 2 and 3 of the Resolution of the House referring this matter to the Committee relate to matters which come within the prerogative of the House Committee.



Allan McDonald,

CHAIRMAN.

Parliament House,  
Canberra, 31st October, 1951.



# Canberra statesmen beat the Budget

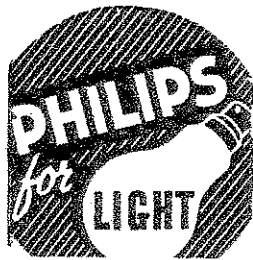
CANBERRA, Tuesday. — Just as a man may admire the functional utility of a zoo without becoming too fond of the animals that inhabit it, he can respect the parliamentary institution without hero-worshipping individual members.

The necessity for distinguishing between the parliamentary institution and those who serve it was provided clearly last week.

Within minutes of the Budget details being announced and members learning that whisky, other spirits, cigarettes and shaving gear were to be dearer, there was a concerted onslaught on the parliamentary bar.

Joe Clark, Labor member for Darling, arrived just at the moment a Country Party group were stocking up with razor blades, shaving soaps and, extraordinary as it may seem, shaving brushes.

(If Clark had arrived at another time he would probably have found members of his own party or Liberals doing the same, for human nature ignores the artificial barriers of party divisions.)



By ALAN REID, chief of The Sun Canberra bureau

Commented Clark bitterly, "This is pretty tough. Here are you fellows hogging everything and beating the gun, and yet you are the very people who are putting the prices up."

BUT it was even more illuminating to stand in King's Hall and watch member after member from all parties coming from the bar with bottles of whisky and cartons of cigarettes, all at the old price, tucked under the arm.

### Inglorious, undignified rush

Those who did not participate in the inglorious and undignified rush had no consideration.

Though members were repeatedly warned that their buying spree would mean that colleagues would have to go without, they demanded everything they could get and kept on demanding, though attempts were made to conserve stocks.

ACTUALLY the mass movement from the chambers of the House of Representatives and the Senate to the bar is a further manifestation of the manner in which members would prefer to see Parliament House func-

tioned (with a few individual exceptions) appears to be:

● This is our club, and it is to be run exclusively for us.

● We must have people to cater for our convenience, but they are dashed lucky to be permitted to cater for our convenience.

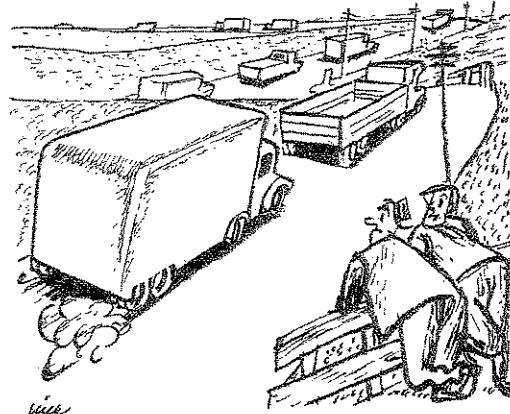
The parliamentary staff, and, particularly, the messengers, do not see it quite in that light.

Just as a man cannot be a hero to his valet, the parliamentarians are no heroes to a staff that sees those MP's sweat and toil for every privilege and concession that is obtainable and then go into the chamber and denounce the evils of privilege and concession.

For a start, there is the bar. In prewar years, when cigarettes and tobacco were plentiful, the staff was encouraged to buy at Parliament House because bar trade was profitable and enabled the otherwise considerable deficit of the refreshment room to be reduced.

### Solved their smoke worries

This staff buying built up the substantial quota which Parliament House was subsequently allotted. Then came the wartime tobacco shortage.



... "they must be MP's going back to Canberra for this week's Parliament..."

ed everyone else in the House but themselves.

● Members could cart away unlimited quantities of beer, whisky and cigarettes. (One Sydney-bound car is reported to have broken a back spring due to the beer load at the end of the last session.)

● Non-members were issued with a pink rationing ticket entitling them to 20 cigarettes a week.

### Their own mail order business

The members loudly hailed this reform as equality of sacrifice.

But from this sacrifice they exempted themselves.

This "reform" enables them now to write from wherever they are in Australia and have forwarded them virtually unlimited quantities of liquor and cigarettes.

With these supplies

(When Parliament is in recess the quota is cut down to meet only staff needs).

MORE important than any amenity is the question of remuneration.

There is a strong move on to get members a pay increase.

This is a move with which I sympathise because I feel that a democracy should pay to the people who shape its laws an adequate and dignified remuneration.

At the same time the messengers are trying to get overtime improvements. Some of the staff work a seven-day week.

### Parliament is their club

Under the law, hotels are closed for drinking on Sundays. But not the bar at Parliament House.

Members considering

- They rushed Parliament House bar.
- They stocked up on liquor and cigarettes at the old price.
- They even bought all the shaving brushes!
- Members insist on Parliament House bar opening on Sundays.

is justification for this because, stranded in Canberra over a dreary weekend, it is their only home) insist upon the bar opening.

But they do not pay overtime to the men who have to sacrifice their Sundays to attend work.

### Poor treatment for the staff

Apparently those who wait upon their pleasure and convenience are sufficiently rewarded by the knowledge that they serve the nation's great.

THOUGH Labor was in power for years, the staff had to wait until Archie Galbraith Cameron became Speaker before their woes were even partially redressed.

Before that, men who won their safe Labor seats and drew their £1500 a year (and perquisites) for the eloquent manner in which they demanded better treatment for the workers, let the men who worked for them eat their lunches in odd corners and keep their clothes and belongings anywhere.

Cameron gave them a lunch-room and lockers.

from their viewpoint, is at least something.

Now, after working 10 hours, they get 10/- and, after 13 hours, £1.

These men would sooner be covered by the law rather than parliament's caprice, and have a proper award and conditions that would enable them to get payment if forced to work through the weekend.

In view of the indifference of the average parliament to their welfare they cannot be blamed.

But at present Parliament House is very definitely the most exclusive club in Australia and only members have rights.

### Do your FALSE TEETH

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FASTEETH, a new, improved powder, sprinkled on upper or lower plates, keeps false teeth firm and comfortable. Cannot slide, slip, rock, or pop-out. No gummy, gooey taste. Keeps breath sweet. Get FASTEETH to-day.