



Speech by

**Andrew Cripps**

**MEMBER FOR HINCHINBROOK**

Hansard Wednesday, 28 October 2009

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## **CRIMINAL CODE (HONESTY AND INTEGRITY IN PARLIAMENT) AMENDMENT BILL**

**Mr CRIPPS** (Hinchinbrook—LNP) (7.35 pm): I rise to make a contribution to the debate on the Criminal Code (Honesty and Integrity in Parliament) Amendment Bill. On Friday, 9 December 2005 an extraordinary thing happened in this parliament. The state Labor government grossly abused its position by advising the then Governor of Queensland to recall parliament on that day in order for the Labor Party to protect one of its own—namely, the former member for Sandgate, Gordon Nuttall. That protection was provided by way of a motion moved by the former Premier, Peter Beattie, seconded by the then Deputy Premier and now Premier, Anna Bligh, and supported by 52 members of the then Beattie Labor government, many of whom continue to sit in this place in the Bligh Labor government. For that sordid episode in the history of this place, during which the state Labor government exploited its position and its majority in this parliament, those opposite who supported that motion should be embarrassed and utterly ashamed of themselves. The Labor Party recalled the entire parliament after it had already risen for the end-of-year recess and used its majority to protect Gordon Nuttall from the consequences of his actions, knowingly misleading the parliament.

It is almost inconceivable that the Labor Party would consider being so arrogant, but it is instructive and an insight into the contempt with which Labor holds this parliament as an institution. Subsequently, in May 2006 the Beattie Labor government passed through the House an amendment to the Criminal Code which repealed a provision that prohibited members of this parliament from deliberately misleading the House and its committees—a criminal sanction that had accompanied such an offence since the Criminal Code was drafted in 1899 by none other than Sir Samuel Griffith, a former Premier of Queensland, the first Chief Justice of the High Court of the Commonwealth of Australia, and a father of Federation, being prominent amongst those who drafted the Australian Constitution.

None of that mattered or counted for much when Peter Beattie and the state government, including many of those who still sit opposite, resolved to tear that particular provision out of the Criminal Code for base political purposes, to protect a Labor mate. In doing so, the state Labor government seriously and fundamentally undermined the confidence in, and fanned the flames of cynicism that exists amongst the people of Queensland in relation to, this parliament.

At the time, the LNP opposition strongly opposed the original motion and the subsequent bill on the ground that it undermined the integrity and the standing of the Queensland parliament and compromised a principle of longstanding in the Criminal Code that was sacrificed for political expediency. This bill seeks to take the first step to restore that integrity and standing.

The objective of the bill is to amend the Criminal Code and the Parliament of Queensland Act to restore to the code the offence of giving false evidence to the Legislative Assembly and the committees of the Parliament of Queensland. There is a basic expectation that members of parliament will be honest and truthful when representing their constituents in the Queensland parliament. From time to time, members acting in good faith and on the information they have available to them at the time unintentionally provide inaccurate information to the House. It is the responsibility of members in those circumstances as soon as

possible after they become aware of that error to correct the record. Members are generally respected in those circumstances because it is understood that mistakes can happen and that it is not necessarily the fault of the members who acted originally in good faith. In contrast, knowingly misleading the parliament is a grave offence and should be dealt with in a very serious way, with strong sanctions and penalties that align with the magnitude of that offence.

The bill restores the offence of providing false evidence to the Legislative Assembly or a committee of the Assembly. The bill also amends the Parliament of Queensland Act 2001 to ensure that acts of contempt of parliament that amount to providing false evidence are prosecuted under the Criminal Code. Putting this provision back into the Criminal Code is one step in trying to restore the confidence of the people of Queensland in this parliament. Unfortunately, the confidence of the people of Queensland has been significantly undermined in other respects by the actions of the state government.

Since the state election on 21 March 2009, public policy positions such as the removal of the fuel tax rebate and the sale of public assets, which were not canvassed with the people of Queensland before or during the state election campaign, have been announced by the Bligh Labor government. Indeed, in both cases these policies were disavowed by the Labor Party prior to the election—a blatant deceit of the people of Queensland. In a sneaky, tricky manoeuvre, the fuel tax rebate was removed and the fire sale of state assets was announced after the election. The other issue that has plagued the state government is the allegations of inappropriate links with lobbyists, many of whom are former Labor MPs, and the extent of their influence over government decisions.

The state Labor government voted against the motion moved by the LNP opposition to establish a royal commission to investigate the culture of secrecy, political cronyism and allegations of corruption. In 1987, amid allegations of a similar nature, the then Queensland National Party government had the guts to call a royal commission and appoint Tony Fitzgerald as the commissioner. The result of that royal commission is well known and was a watershed for politics, public administration and government in Queensland.

Two decades later, the Bligh government has demonstrated that it does not have the guts to open itself up to the same scrutiny of a royal commission. This bill is a starting point to try to restore the confidence of the people of Queensland in this parliament. We cannot really try to restore confidence in the Bligh government. The Labor Party, even by its own standards, is failing to deliver competent government.

In February 1996, there was a change of government in Queensland without a general election. When the parliament met for the first time after that change of government, the first business of the House was to consider a motion of confidence in the new government. The new Leader of the Opposition during that debate was the then member for Brisbane Central, Peter Beattie, who in part said during his contribution to the debate on the motion of confidence—

... the Goss Government was a Government of vision, integrity, honesty and diligence—a Government that had the interests of Queenslanders at heart.

Mr Beattie went on to say—

Let us not forget that there were no Fitzgerald inquiries, scandals, or gaolings of police commissioners. No Ministers went to prison and there were no financial scandals. We had good, competent Government.

This is Peter Beattie and Labor's test of competent government. Queensland was yet to experience government under Peter Beattie. That was not to be inflicted on the people until July 1998. When we did get it, we saw a royal commission condemn the state Labor government's mismanagement of Queensland Health across the state, but in Bundaberg in particular.

We need a royal commission now, but the state government will not allow it for fear of the alleged culture of secrecy—

**Mr DEPUTY SPEAKER** (Mr O'Brien): Order! Honourable member, I have let you have a good run here this evening but you are straying from the provisions of the bill. I ask you to return to it now, please.

**Mr CRIPPS:** I put to the House that, in doing so, the Beattie government failed one of its own tests of competent government. In respect of ministers going to prison, the former member for Currumbin has been in prison and is out already and another, the former member for Sandgate, is in and faces the possibility of another spell. Indeed, the former member for Sandgate is the very person the Beattie government moved to protect in December 2005 by recalling parliament and then, in May 2006, struck down a longstanding provision in the Criminal Code—all for the sake of protecting Labor mates. In doing so, the Beattie government failed another test of its own in relation to competent government.

Lastly, in terms of financial scandals, the current circumstances of the government's own financial position cannot be described as anything but a scandal—with record debt, the loss of our AAA credit rating and budget blow-outs on emergency infrastructure, the fire sale of state owned assets and the increases in taxes, fees and charges, especially given the fact that we enjoyed a decade of economic boom during the tenure of the current government. This is yet another failure of the state Labor government of its own tests of competent government.

We do not have competent government in Queensland under Labor, even under its own assessment of competency. Premier Bligh will not be able to resuscitate confidence in her government, but we could take a step in the right direction and attempt to resuscitate confidence in the parliament by passing this bill, introduced by the Leader of the Opposition, to once again make it an offence for a member to knowingly mislead the parliament. I do not think it is too much to ask for the Labor Party to do the decent thing and support the bill.