

25 June 2012

Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000

Via e-mail: lacsc@parliament.qld.gov.au

To the Chair and Deputy Chair of the Committee,

RE: Criminal Law (False Evidence Before Parliament) Amendment Bill 2012 ('the Bill')

I refer to the letter dated 20 June 2012 inviting the Liberal National Party ('LNP') to provide a submission to the Legal Affairs and Community Safety Committee ('the Committee') regarding the proposal to re-introduce s 57 of the *Criminal Code* (Qld), dealing with the offence of knowingly giving false evidence to the Parliament or its Committees.

The LNP strongly supports the intent and the substance of the Bill.

The reinstatement of the criminal offence of knowingly giving false evidence to the Parliament or its Committees is necessary to ensure that Queensland has a robust framework for ensuring the integrity and accountability of Members of Parliament. The LNP pledged to support this measure during the 2012 election campaign.

The Beattie Government's repeal of this provision¹ was a cynical attempt to avoid former Labor Minister Gordon Nuttall from being prosecuted for misleading a Parliamentary Estimates Committee. Members of the then Liberal and National Parties of Queensland opposed the repeal because it had the effect that the only accountability mechanism remaining would be through contempt, as judged by the Parliament itself. As the Member for Southern Downs, and then Opposition Leader, Mr Springborg said of Labor's repeal Bill:²

"We all know the realities [sic] of adversarial politics in Australia is that the government of the day has the numbers to determine any question before the Parliament and any of its committees, including the question as to whether any particular set of circumstances constitutes a contempt of the parliament. This bill is seeking to enable a government with control of the numbers on the floor of the Parliament to use those numbers to legitimise lying and falsehoods by its members and ministers. At the same time, the government is also being empowered to prosecute and punish any person whose evidence before Parliament and its committees it does not like or might find embarrassing."

¹ By the *Criminal Code Amendment Act* 2006 (No 30), assented to on 1 June 2006.

² Debate in relation to the *Criminal Code Amendment Bill* on its second reading, 25 May 2006, Hansard page 2022.

The LNP supports the Bill currently before the Committee for the reasons expressed by Mr Springborg in the quoted passage.

It is the LNP's view that the Bill will improve the Parliament's integrity mechanisms without impinging on parliamentary privilege or Members' freedom of speech. The electorate are entitled to expect that every Member of Parliament and the public exhibit honesty in their conduct before Parliament, and that there should be firm sanctions for failure to do so. These values are central to the LNP's beliefs, and accordingly we commend the Bill to the Committee without reservation.

The LNP submits that the Committee should recommend that the Parliament agree to the Bill without amendment.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Bruce McIver', is centered below the text 'Yours faithfully'.

Bruce McIver
LNP State President