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LEGAL, CONSTITUTIONAL AND
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TO

THE LEGAL , CONSTITUTIONAL AND ADMINISTRATIVE REVIEW COMMITTEE

PARLIAMENT HOUSE , BRISBANE

Submission No 42
Spec 28.1

From : NOEL TURNER

12 May 2000

I support the QCRC R5.2 , but with some further qualification to ensure , as I perceive , some necessary fiscal security for Queensland initiated and joint programmes. I will describe this qualification further in a later segment of this Submission.

1. Your QCRC Report description of our Queensland 'floating' three (3) year electoral cycle is reasonable if intended as comment on the quality of Queensland parliamentarians produced by our electoral system :

Viz : we get the politicians we deserve . . (by maintaining such a system)

But NOTE : this phenomenon might have as much to do with our unicameral system as with our electoral cycle . .

Parliamentarians whose political savvy **must** significantly exceed their competence in their understanding of the duties and responsibilities of governance , and their commitment to **parliamentary** integrity , would seem to be nurtured within our system , with corresponding government (Executive) arrogance and consequent community/social confusion :

"Who can we vote for who will do what they promise us ?"

2. Governance is not to be confused with party political policies , or academic theses/polemical tracts , or standards of 'achievement' touted by Executive governments as components of the 'art of the possible' packaged and presented to the electorate as 'the best we can do . . '

Some certainty in the electoral cycle which will shift the emphasis in time and effort concentration from political prospect concerns to increased (or potentially increased) time and effort opportunities for government activities could contribute to our community/social needs for better quality parliamentarians. The proposed four (4) year term limit with three (3) years (plus one (1) session) fixed period could provide such certainty. I am certain some further element of discipline will be necessary to avoid excessive political manipulation of the extra time available to pursue government and other sectional interests.

3. The means by which such discipline could be achieved might be to apply the arrangement obtaining in New South Wales : the Governor having the duty to consider exercise of a specific Reserve Power to dissolve a Parliament should illegality of administration and other conditions of corruption by Government be proven.

The Governor would have the duty to consider exercise of this Reserve Power **at any time** during the proposed four (4) year term , subject to proof of illegality and/or corruption as described.

NOTE : An example emphatically showing the need for this mechanism to operate within Queensland's unicameral parliaments has existed **exceeding a decade to date** , and continues to exist **because** of the nature of Queensland's unicameral parliaments.

Significant senior parliamentarians : current Cabinet Ministers and Coalition Opposition Leader , Deputy Leader and others , are fairly firmly compromised and committed to inaction with regard to the described example.

FURTHER NOTE : This situation **might not exist in Queensland** were it not that in 1990 , a significant group of academics and Queensland parliamentarians , mostly incoming A L P , had emphatically discouraged/suppressed even discussion of a four (4) year parliamentary term with a three (3) year fixed period , let alone provided any support for it as a constructive reform for Queensland's parliaments.

Proposals that planned institutions : **the CJC , FOI and Judicial Review ;** would provide necessary checks and balances to discipline Executive excesses and expose and lawfully deal with systemic and other forms of corruption in Queensland have proved to produce little substance.

The situation described seems to approximate part of your argument for R5.2. My impression is that we have three (3) successive Queensland Parliaments from 1990 that will not inquire into very obvious and specific allegations of probable criminal abuse by public officials, and probably others, and which have continued to support Supply, 1996, 1998 and so do in support of minority government(s).

EXTRA FURTHER NOTE : A four (4) year parliamentary term as I propose, coupled with **optional preferential voting**, could over time reduce the difficulties of competent electoral representation, governance, and systemic and other forms of administrative corruption. Add to this at some future time the democratic evolution of **institution of a bicameral electoral system incorporating Proportional Representation voting and corresponding electorate organisation** : Hare/Clark model, and Queensland could have an electoral system not bettered anywhere within the Commonwealth : IE - P/R for State Government and Local Authority purposes.

4. Now to explain my proposal for a three (3) year plus one (1) session fixed section of a four (4) year parliamentary term for Queensland. The extra term would provide a 'rounding-off and tidying-up' period for fiscal commitment/accountability prior to commencement of any formal political campaign. It could provide a similar function period within those elements of our business cycle interdependent with government activity, being a useful 'cushion'. Government social programmes could be better planned and discharged within this arrangement, and continuity of planning, research, resource acquisition and application could all benefit having such a fiscal 'cushion'.

Yours faithfully



NOEL TURNER

12 May 2000