



Speech by

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PUBLIC SECTOR ETHICS AMENDMENT BILL

Mr FELDMAN Caboolture—ONP) (5.28 p.m.): It is with pleasure that I rise to speak to the Public Sector Ethics Amendment Bill 1999. I wish to pick up from where the Leader of the Opposition, the member for Surfers Paradise, left off. He said that for every one person who does trust the Premier there are 1,000 who do not and would not.

I am here as an example of that. One Nation would not exist and I would not be here if people had trust and faith in the integrity of Governments. But the trouble is that they do not have faith and they do not have trust in Governments. That is a shame, as the member said. If the general public—the thinking public—trusted Governments, we would have only two sides in this Parliament, but we do not. Tweedledum and Tweedledee have had their day, and that is happening not just here in Queensland. We see that sanity coming up again now in Victoria and South Australia where small parties and Independents are not just winning support but also control—and they are winning even more control—in Government. We see that federally in the Senate and we also see it as a worldwide trend.

We just recently had members of the Dail over here—the Irish Parliament. On speaking with one gentleman, I discovered that the Government rules not just at the behest of one minor party, but two, several Independents and, as I was told, two turncoats from the other side of their Chamber. That is how the Government rules. They are not viewed, as was described, as a possible fruit salad. That is how one actually gets good Bills passed. That is how one actually gets a decent set of legislation through—legislation that means something to every member of the general public, not just to small sections.

Ethics in politics, I was told, are indeed a misnomer; the two could not possibly go together. In common with the Leader of the Opposition, I recall that just before I was elected to this most salubrious office the integrity ratings for occupations were printed in a bastion of ethical print—the Courier-Mail! I believe they were printed in other scandal rags as well. The ratings were interesting. Nurses, I believe, topped the integrity ratings in this State, with an integrity rating of somewhere around 82%. Police—and I was one of them at the time—had a rating of somewhere between 68% and 69%. Politicians, however, were down to 3%—just above journos and used car salesmen. So, according to that, on entering politics my integrity rating dropped from 68% to 3%.

Mr Borbidge: Does that mean when you left the Police Service their rating went up and our rating in here went down?

Mr FELDMAN: I will not answer that question.

Mr DEPUTY SPEAKER (Mr Mickel): Order! The Leader of the Opposition should not be provocative.

Mr FELDMAN: I found it incredible to think that that was the public's perception of politicians. But then, after witnessing first-hand the absolute scrutiny that political figures undergo through media intrusion—being under a microscope like that for some 24 hours a day—I found that one would have to be an absolute saint not to fail at some stage. Unfortunately, it is only when politicians fail, or when they fall, that there is such media interest. That is when attention zeros in on every aspect of a politician's life. Then politicians are examined from every angle and from a very biased, anti-politician point of view.

After all, as politicians, we are actually above the integrity rating of journalists. So I suppose the tall poppy syndrome comes in and the journos have to cut us down somehow! Public perception is a very interesting sideline to this Bill. I believe that that is really what this Bill is all about. This Government is trying to convince the public that suddenly it has somehow developed a higher integrity than it had already been examined as having.

The Public Sector Ethics Amendment Bill appears at first glance to be an effective method of furthering the cause of good government in this State. For such a Bill to translate good intentions into practical improvements in our standard of Government, it must provide the persons who are the subject of the advice and the person providing the advice with a clear path through the administrative jungle. It must also ensure confidentiality of the details of the person seeking the advice and the details of their request for advice. Most importantly, it must be closed to corruption. This is quite an essential ingredient to the success of the Integrity Commissioner.

It is based on these vital ingredients that I have a few concerns with the Bill. The role of the Integrity Commissioner is well protected from liability in civil or administrative process for any acts or omissions committed in good faith. The designated person is protected if they have provided the commissioner with all relevant information and acted to resolve the issue according to the advice given by the Integrity Commissioner.

The Bill relates to the seeking of advice on the Government side of the House and within Government departments, yet the Integrity Commissioner is appointed under the terms and remunerations decided by the Governor in Council. This arrangement provides opportunity for favours from mates and backdoor deals. I am not saying that this is what will occur; I am simply saying that the potential for this to occur should not exist in this Bill. This is why I make the suggestion that the Integrity Commissioner's appointment, remuneration and terms of appointment should be decided by a bipartisan committee, a committee which will ensure that the position of Integrity Commissioner will never be labelled as a "job for the boys" appointment. The process of appointment by a committee will ensure that, through terms of employment and remuneration, no deals will be made and certainly no favours done.

The Premier claimed in his second-reading speech that, by creating this Bill and establishing the position of Integrity Commissioner, the public would regain some trust and faith that they have lost in Government. I for one certainly pray and hope that that will occur, but I am not sure if they will regain that trust by the Government establishing this commissioner. A little genuine work for the good of the State might do just that very thing, but I think that perhaps this Bill in some way may help. Government should be as transparent as possible to the public. The bipartisan appointment of the Integrity Commissioner would increase the transparency of his position and ensure the public that all is definitely aboveboard.

My other concern is with the extremely vague qualifications for the appointment of the Integrity Commissioner set out in proposed section 37(2). Although I believe the definition to be far too broad and open to personal value judgment, to list a more detailed and less ambiguous definition would be impractical. My concern stems from the Government's record on integrity. With certain members of its ranks requiring a lot more hard work to achieve a reasonable degree of personal integrity and with five Ministers already tarnished by the shredding of documents relating to the abuse of children, the role of the Integrity Commissioner will be a more onerous one, and the interpretation of the qualifications for the person's appointment needs to be more clearly defined. This is another adequate reason for the commissioner's appointment to be made by a bipartisan committee.

Initially I had concerns with proposed section 34 and the ability of the Premier, Ministers and Parliamentary Secretaries to be given a document of disclosure regarding advice given by the commissioner. On closer scrutiny, however, I believe this section to be fair and the conditions set out in proposed section 34(5) by which the Premier may disclose the documents are adequate and necessary to ensure that actual and significant conflicts of interests are not merely discovered but are acted upon. If action is not taken then the purpose of the commissioner is extinguished.

As I stated at the beginning of my speech, I believe the basic intent of the Bill to be praiseworthy and I trust that the Premier will act upon any uncorrected significant conflicts of interest that are brought to his attention. I believe the establishment of the position of Integrity Commissioner to be a positive contribution to Queensland if it can be protected from the political tarnish and remain a position of integrity—a position by which the community can regain some faith in our present system of government. I trust that that will occur. At this stage we will not be opposing the Bill. I will view the amendments that have been circulated.
