



Speech by

HOWARD HOBBS

MEMBER FOR WARREGO

Hansard 11 November 1999

PUBLIC SECTOR ETHICS AMENDMENT BILL

Mr HOBBS (Warrego—NPA) (9.03 p.m.): I am pleased to speak to the Public Sector Ethics Amendment Bill 1999. The National Party's interest in this debate lies in achieving greater transparency in the public interest as regards the activities of the Integrity Commissioner. Transparency is as important in the pursuit of ethics as anything else. That is the bottom line, as other speakers on this side of the House have already made clear.

According to the Government, the Bill ensures that Queensland's Integrity Commissioner will be able to give frank, impartial and fearless advice on request to a Minister, Parliamentary Secretaries, chief executives and other public officials. As is so often the case with the self-promotional collective opposite, the reality is just a little different. The reality is that, without a substantial beefing up of the powers given to the proposed Integrity Commissioner, the frank, impartial and fearless advice will be available only to approved applicants who will themselves have to decide to approach the Integrity Commissioner.

Every genuine person in public life obviously wants to avoid conflicts of interest and allegations of conflicts of interest that can be so damaging to political confidence in Government. This point is of particular interest to me as the shadow Minister for Local Government, which is a tier of Government that sometimes, like Tasmania, gets dropped off the plan. Ordinary Queenslanders might well say of this Bill, "What about local government?" They would have a point, although perhaps not one that could or should fall within the ambit of this legislation. However, it is certainly something to think about if the Government is fair dinkum on the issue of public sector accountability and ethics.

One cannot ever prepare oneself for what will happen. One good example in relation to local government is the issue of the southern Moreton Bay islands study. The people involved in that study started out with all the best intentions in the world. They said, "Let's do a study. Let's try to do the right thing and put some money into this." Indeed, half a million dollars was put into the original study to try to work out what would be best for the people who live in the areas concerned. However, at times people with a different agenda can take over. Some people are concerned that there are sinister activities at work. Some of them may have emanated from local government, some from the Minister and some from the department. It does not matter what one does; at the end of the day, there will still be those concerns. It is a very difficult situation to be in.

I am not sure that an Integrity Commissioner would have solved those problems, although it may have helped. If the Minister wishes to get involved—

Mr Borbidge: If the Minister is a dud, the Minister is a dud.

Mr HOBBS: The Leader of the Opposition has pretty well summed it up. As I said, at the end of the day it is about political judgment.

A Government member interjected.

Mr Borbidge: The cap fits, does it? Look who interjects.

Mr HOBBS: I have to look after my mate from the north.

Mr McGrady interjected.

Mr DEPUTY SPEAKER (Mr Mickel): Order! The member for Crows Nest is trying to entertain people who are in the gallery. I would ask the House to respect that.

Mr HOBBS: Sometimes we in the west have to stick together. At the end of day, it often comes down to a political judgment——

Mr Beattie interjected.

Mr Borbidge: It would be the first time he has ever been right.

Mr HOBBS: He would be very right on this occasion.

Mr Beattie: We liked you when you were on TV the other night.

Mr HOBBS: Insight was quite a good program. I was quite pleased with it; I received a couple of letters about it.

Mr McGrady interjected.

Mr HOBBS: I thought maybe the honourable member might like to go a bit further into the Insight debate, but he does not.

It is difficult in this age of litigation, because serious problems do arise. People will take advantage of a situation if they get the opportunity. When I was the Minister I was involved in a case relating to a probity officer. Such a thing would not have been thought of years ago. We already have in place checks and balances in an effort to ensure that the correct process is followed. I guess that some people will always try to take advantage of our position as politicians, as many people involved in politics have found out. Generally speaking, one has to work one's way through those situations. There is no other way to do it.

For example, tonight the House debated a motion moved by One Nation on the issue of the St George irrigation area. Members should be aware of a consultant who was employed by a particular group involved in the St George debate. That person is a disgruntled ex-DPI employee. He has been given the job of trying to push the case of the people concerned. That is fine. I have no problems with that at all. That is the way it is. However, it is a worry when we get to the stage at which suspect or inaccurate information is given out. It is a worry when people write insulting and virtually libellous letters to try to intimidate members. It is a worry when they threaten members that there will be adverse consequences if they do not come up with the goods. That happens to all Governments at some time. I believe that is going over the top. I suppose that in that situation an Integrity Commissioner may be useful.

This person even ran a campaign against me. He rang around the whole electorate to try to find people to stand against me. He rang radio stations and the newspapers. He was even involved in a CJC inquiry. He was trying to intimidate a Minister to try to gain advantage for himself and the group for which he was working. I cannot understand why that group would even employ him. From what I can understand, he is not a very good engineer, anyway. He is the sort of person who would walk into a DNR office, sit down among the staff and pick up pieces of paper off their desks and read them. Those are the sorts of people we have to put up with. We have to understand that these things happen and we just have to put up with it. I do not know whether an Integrity Commissioner would make any difference in that situation. I do not know whether I would have seen an Integrity Commissioner under those circumstances. Perhaps I would have done so just to cover myself. At the end of the day, it is us against them. These people are out there. They resort to some pretty low tactics in trying to look out for themselves.

As my colleagues on this side of the House have noted, at a time when the rate of change is increasing and many Australians, especially those in the bush and in the outer working class suburbs and also the elderly, feel overwhelmed by it and left behind, there is an ongoing need not only for ethical standards to remain high but also for all levels of Government to be more inclusive. We do not have to be Einstein to work out that people are angry and mistrustful. For example, we always knew when Paul Keating was fibbing.

Mr McGrady: That is unkind.

Mr HOBBS: I do not know that that is unkind. He would say, "What a lovely set of figures", but we knew that they were the worst figures we had ever had.

Mr Borbidge: Now we have "trend unemployment" in Queensland—just like "a lovely set of figures".

Mr HOBBS: We now have "trend unemployment". That is the problem we have. If politicians spin a story, look people in the eye and say, "This is the way it is" and the public know that that is not the way it is, that is not doing anybody any good.

Mr McGrady interjected.

Mr HOBBS: We have to try to be better. Those sorts of things happen.

The republic referendum vote showed that the majority of the voting public is angry and very distrustful of perceived elites, whether they be political, economic or social. One of the ways to effectively, proactively and positively deal with feelings of distrust and alienation is to have in place proper legislation and administration to oversee and encourage ethics in Government. As has also been noted tonight, it is for this reason that we are prepared to support this Bill, subject to amendment. It is only a very small step. Nonetheless, it is a positive one. We all accept that. We have to move on. Time will tell whether it is right or wrong.

Under this Bill, Queensland will have a part-time Integrity Commissioner who will be provided, according to the Explanatory Notes, with an administrative support staff of 1.5 full-time equivalents from the resources of the Office of the Public Service Commissioner. The Explanatory Notes state—

"In recognition of the determinative character of the Commissioner's considered advice in relation to a conflict of interests matter, an official who substantially complies with the Commissioner's advice is to be accorded conditional protection against liability in a civil action or administrative process. In relation to the giving of that advice, the Integrity Commissioner is to receive comparable protection against liability."

That sums it up reasonably well.

In his second-reading speech, the Premier told the House that, in drafting the Bill, efforts were made to encourage Ministers and others to seek advice in relation to conflict of interest matters where they may be in doubt. That is fairly obvious. As I was saying before, those sorts of things are straightforward. We should never be in a position where that occurs. However, if somebody puts a spin on a story and we have negative press against us, that makes it very difficult. That has happened to all honourable members. We have to be aware of that.

The seeking of such advice will be voluntary. The Integrity Commissioner will not be a watchdog with bite—or indeed a tiger with teeth. In fact, given the inability of the commissioner to work proactively, the job may be one that would suit a somnolent as well as a toothless tiger. The amendments foreshadowed by the Leader of the Opposition are designed to give more teeth to this tiger and also to administer a pep pill. This has to have a little more to make it really effective. If we are going to go down the road of prescriptive ethical guidance—the road the Labor Party apparently prefers to travel—it needs to be energetic about it as well as sensible.
