



Speech by

JOHN MICKEL

MEMBER FOR LOGAN

Hansard 25 March 1999

MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Reports

Mr MICKEL (Logan—ALP) (10.12 a.m.): I lay upon the table of the House report No. 29 of the committee titled Report on a Matter of Privilege—Matter Arising from Public Accounts Committee Report No. 43. I commend the report, and the committee's recommendation, to the House.

I also lay upon the table of the House report No. 28 of the Members' Ethics and Parliamentary Privileges Committee titled Report on a Matter of Privilege—Matter Referred to the Committee on 21 April 1998. On 21 April 1998, the member for Chermide raised a matter of privilege in the House relating to the security of members and electorate officers. The member's complaint arose from an incident which occurred at his electorate office on the evening of 31 March 1998.

On 21 April 1998, the then Speaker referred the matter to the Members' Ethics and Parliamentary Privileges Committee of the 48th Parliament—the previous committee—for its consideration. The previous committee was unable to complete its inquiry, however, due to the dissolution of the Legislative Assembly on 19 May 1998 for the State election. The committee of the 49th Parliament considered the matter at its inaugural meeting on 5 August 1998 and agreed to undertake an inquiry into the matters raised by the member for Chermide.

During the course of its inquiry, the committee noted that there were a number of apparent anomalies in the Criminal Code relating to the offences of "disturbing the legislature", "disturbance in the House when the Parliament is not sitting" and "going armed to Parliament House". Honourable members may be interested to learn that under the current Criminal Code if someone disturbs this House while it is sitting it is an offence that carries a penalty of three years' imprisonment. However, if someone carries a weapon to this House the penalty is but three months' imprisonment. The committee resolved to seek the advice of the Attorney-General regarding the apparent anomalies and on a number of other issues raised by Mr Sullivan.

I take this opportunity on behalf of the committee to thank the Honourable Attorney-General for his assistance. The committee has recommended that—

- (a) sections 56A and 56B of the Criminal Code be amended to rectify current anomalies between the penalty provisions of sections 56, 56A and 56B, by raising the maximum penalty for the offence of "disturbance in the House when Parliament is not sitting", which is section 56A, and the offence of "going armed to Parliament House", which is section 56B; and
- (b) the Attorney-General set in hand the introduction in the House of the appropriate legislative amendments as soon as practicable.

Finally, I lay upon the table of the House submissions received by the committee in connection with its inquiry into a code of conduct for members. The previous Members' Ethics and Parliamentary Privileges Committee tabled its draft Code of Ethical Conduct for Members of the Assembly prior to the 1998 State election. The draft code was tabled to enable a period of consultation and debate prior to its final presentation to the Legislative Assembly. The majority of submissions to the committee supported the draft code which the previous committee formulated. A number of the submissions also made useful suggestions that will be taken on board by the committee in drawing up its final recommendations to the Legislative Assembly. The committee will now consider all suggestions made in the submissions, and will present its final report to the Assembly in the near future.