



Speech by

Mr L. SPRINGBORG

MEMBER FOR WARWICK

Hansard 1 December 1999

ELECTORAL AMENDMENT BILL

Mr SPRINGBORG (Warwick—NPA) (Deputy Leader of the Opposition) (8.49 p.m.): In speaking to the Electoral Amendment Bill 1999 introduced into this Parliament by the honourable member for Caboolture, I think it is fair to say at the outset that there is probably very little in the sentiment of the Bill with which most politicians—if not all politicians—and most members of the community would not agree. When previously in Government, the coalition expressed its intention to try to address the issue of truth in advertising in order to overcome some of the problems which permeate our electoral process from time to time, and to try to address the issue of false and misleading advertising as well as false and misleading how-to-vote cards.

The Legal, Constitutional and Administrative Review Committee looked at this issue in 1996, as I understand it, and indicated that seeking to legislate in this area was not without some significant degree of difficulty. That is something which was recognised—I think validly—by the Attorney-General in his contribution earlier tonight. It is something that is also conceded in the second-reading speech of the honourable member who introduced this Bill into the Parliament.

Notwithstanding that matter, in the State election of 13 June 1998 some issues arose in the Mansfield electorate over how-to-vote cards that warranted some closer scrutiny. That issue was adjudicated by a judge in the Court of Disputed Returns. In that judgment, some comments were made that brought about the Legal, Constitutional and Administrative Review Committee investigating this matter. I would like to commend that committee, because I think that it produced a very good report, which indicated that there was significant difficulty in trying to legislate in this area. However, the committee made some recommendations to the Government, which are similar to some of the provisions of the Bill presented by the honourable member for Caboolture. Certainly, some issues relate to matters such as the font size on publications. However, some areas also present significant difficulties.

I intend to move to refer this matter to the Legal, Constitutional and Administrative Review Committee for its further consideration and report back to this Parliament. I know that the members of that committee probably would not appreciate what I am seeking to do. However, there are some similarities between this Bill and the committee's recommendations. There are also some areas that are dissimilar and cause some problems, certainly in their implementation. There may also be some issues in the honourable member's Bill that may not have been considered by the committee in its investigations.

Before I conclude, I would like to make some general comments. When the honourable member for Caboolture introduced this Bill, he gave the impression that his political party was the font of everything that was full of virtue. As a consequence, some things that are contained in the Bill left me a little amused. Although I would be the first to concede that, in this State, all sides of politics have said some things that were misleading, a lot of those things have happened as a consequence of our very robust democracy and electoral process. The Attorney-General made a very good point in his contribution when he said that, when we start trying to define and constrain some of these issues, we are then trying to adjudicate on what is an opinion. At the end of the day, although everything I say might not necessarily be technically correct, nevertheless my opinion may well be very, very valid to me and to a lot of other people. That is the nature of the democracy in which we live.

I say to honourable members opposite that, although I disagree with much that they advocate, I probably agree with more of the things that they advocate than I disagree with. At the end of the day, a lot of these things come down to a matter of opinion. If members considered the number of Bills that are passed by this Parliament, they would realise that the majority of them are passed with very little debate and very little dissent, except in relation to minor issues. However, we all have very heartfelt and very strong opinions about the impact or the implications of some things that may be done by the Government. Obviously, we put our own spin on them. If we took the issues to a court of law for adjudication to determine who is technically right, on some occasions we might be right and on some occasions the other side might be right. At the end of the day, our democracy gives us the ability to hold an opinion. When we start trying to adjudicate on these issues or trying to run some sort of test of falsehood, that is when we start to run into some problems.

I say to the honourable member for Caboolture, the Leader of One Nation, that although I concede that in the past there have been occasions where we have been misleading, I refer to a situation that occurred in my electorate at the State election on 13 June 1998. On that day, I remember going to the polling booths and listening to One Nation booth workers saying, "Vote for Pauline Hanson for Premier." Pauline Hanson was not standing for Premier; Pauline Hanson was the party president of One Nation; Pauline Hanson was the honourable member for Oxley; Pauline Hanson wanted to become the member representing another seat in Federal Parliament, but Pauline Hanson was not a member of State Parliament. However, booth workers for One Nation were encouraging people to vote for Pauline Hanson for Premier. If that is not misleading, I am not sure what is. So virtue does not necessarily reside with any particular political party.

At the end of the day, how far do we take this issue? Certainly, I believe that some things that have been advocated by the honourable member in his Bill warrant further consideration. Some elements of the member's Bill reflect the suggestions of the Legal, Constitutional and Administrative Review Committee that we could possibly tie into a more detailed response that can be presented to this Parliament for consideration for legislation by the Government. We should not just throw out the Bill. We should not just say that the suggestions in this Bill are all bad, because I think that some are fairly good and need to be considered in more detail.

Certainly, all honourable members in this Parliament agree with having a transparent and open electoral process. I think that we all agree with truth in advertising. However, in many cases the issue is subjective and is a matter of a difference of opinion across the Chamber. I think that the honourable member understands that. I move—

"That all words after 'Bill' be deleted and the following words be inserted—

'Be referred to the Legal, Constitutional and Administrative Review Committee for consideration and report.' "
