



Speech by

JOHN MICKEL, MLA STATE MEMBER FOR LOGAN

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STANDING RULES AND ORDERS

Mr MICKEL (Logan—ALP) (2.30 p.m.): It is a pleasure to speak in this debate today. As chairman of the previous committee, it is great to see the deliberations of the previous committee being considered by the parliament as a whole. In praising the previous committee, I praise the work, at all times and in all our deliberations, of the previous deputy chair, the honourable member for Caloundra; the deputy opposition whip, the honourable member for Southern Downs; and the other members of the committee.

I make this point about committee deliberations: they occur, of course, away from this parliament, they are out of the public eye and therefore, hopefully, they never attract any great public criticism. I might say that the task of the previous committee was never easy, because of the nature of the work that we were given to deliberate upon.

Only once before in the history of the Westminster system, in the Profumo case in the 1960s, has a member actually been found to have deliberately misled the House. A lot of members who are new to this institution may not realise that, in the previous parliament, a member behaved so abysmally that an all-party parliamentary committee found that that individual had deliberately misled the House. Worst of all, that individual showed no remorse and quite happily, I will say, he was dismissed by the people in one of the lowest votes ever for a member recontesting a seat.

A government member: It was 4.5 per cent—

Mr MICKEL: It was five per cent. At last, the public recognised what the all-party parliamentary committee had had to deliberate upon.

Another equally distasteful incident that the committee had to deliberate upon, and it did so unanimously, involved the spilling of milk at Parliament House. Without going into the committee's discussions on that, I will say this, and I will say it publicly: how on earth can we say to the people in the gallery today, 'For goodness' sake, don't put graffiti everywhere and don't deface public property,' if we thought so little of this place not to take umbrage at what those people had done. Quite correctly, the all-party parliamentary committee came down against the actions of those members of parliament. The other incident was the serving of a writ upon a member of this House in the public gallery. In other words, the committee had to decide upon a number of very important issues.

I congratulate all the members of those committees, because each one of them put aside their party differences and looked at the issues in a very dispassionate way. They came down with resolutions that upheld the dignity of this House. That is why today I wish to congratulate those members. I know many members were seconded to various parts of those committees.

Prior to the luncheon adjournment, the Leader of the Opposition said that we had to be aware of how we conduct ourselves in this place and that we should maintain robust debate. I am all for that. I have no problem with it at all. However, I do take the view—and I take it when I am in your current position, Mr Deputy Speaker—that when a member does not want to take an interjection, is clearly bothered by that interjection and, therefore, is interfered with in speaking freely to this House, the standing orders are quite clear: they regard such conduct as disorderly. That is quite unremarkable. Therefore, what the Leader of the Opposition regards as a bit of robust debate can happen only if the Speaker wants to give way. On no occasion today did I see that happen.

Any investigation of the standing orders as proposed by these resolutions is to be welcomed. It is a good thing that the conduct of members in this chamber is listed for everyone to see. It is not a challenge to our standing orders at all if, occasionally, they are looked at. The Members' Ethics and Parliamentary Privileges Committee is the appropriate committee to do that.

There are several other issues that we need to look at today. It has been said that an examination of the sub judice convention is long overdue. It is sensible. Both in my observations of this House and as a member of it, I have come to the belief that it is a convention that is rarely understood by some new members. I remember a fellow who represented the Maroochydore area—I cannot remember the seat—who wanted to disclose information on a criminal trial which, to the best of my recollection, was still in progress. There was an incident during the last parliament when the former member for Thuringowa wanted to disclose some information in a criminal trial. The notion of sub judice was a foreign force to those people. That is why we had the convention.

Sensibly, the material under discussion in royal commissions and inquiries is now allowed to be discussed in this House. It puts the Speaker in an invidious position when a question mark hangs over what is in and what is out with regard to information before royal commissions and commissions of inquiry. In the past, Speakers have had to rule on those things, quite inconsistently I believe.

It has always seemed to me to be passing strange that a member is allowed to waltz out of this place and speak on any matter to do with a royal commission, yet he or she is not allowed to speak on those matters in this House. That is a blinding absurdity. I know that that is lost on the opposition because none of them is in here. Not one of them is in here to listen to what is clear logic on my part.

I will raise another matter to do with sub judice, and I am glad that it is going to be cleared up. Somebody mentioned the Liberals, and I will mention them myself. For example, there has been some doubt about whether we can speak on matters from the civil jurisdiction. Speaking on matters from the civil jurisdiction is very important to me, because at the moment a candidate of the Liberal Party is taking the entire Liberal Party executive to court. To do what? To make sure that all of the branch members can get a vote in a Liberal Party preselection. Until this matter is passed by the House, I would be in some doubt as to whether I can speak about it. I felt constrained in my contribution in this place, because I could not speak about the enormous influence that the Carroll-Santoro forces have had on the Labor Party. Because of their actions, they have delivered the Labor Party the 1998 state election, the Brisbane City Council 2000 election and had a large dollop in relation to the 2001 election. However, this was all dwarfed by what has been going on in Ryan for years. I am pleased now with the ending of this limitation on discussion about civil proceedings that from now on I will be able to talk about these things, because previously I had felt constrained.

I will say this: the Bob Carroll-Santo Santoro forces delivered in Ryan inside the Liberal Party what we in the Labor Party could never have dreamt of, and that is the election of a Labor candidate in the federal division of Ryan for the first time in history. The history of the Carroll-Santoro forces should be recognised here today by our members with any sense of fair play. I know some of our members opposite had difficulties with the former member for Clayfield, but they should never forget this: prior to the Carroll-Santoro forces taking over the Liberal Party it had 15 members in this place and they have managed, through a process of attrition, to reduce that to three. That is a marvellous contribution by any stretch of the imagination. I am pleased that, with the passing of the sub judice convention today, I will no longer be prevented from speaking about these things.

Mr DEPUTY SPEAKER (Mr Fouras): Order! In the interests of impartiality, I say that I think the member for Logan has made his point well and perhaps he should move on to other matters.

Mr MICKEL: I am guided by you always, Mr Deputy Speaker, for your impartiality and undeniable intelligence.

I turn now to the pecuniary interests register. I understand the need for such a register. I will say, though, that I think spouses of members of parliament find it an intrusion. I have heard it said by former members that it would be better, if we really want to keep an eye on people, to have a debt register, not a pecuniary interests register, because a register which highlights the amounts people owe and to whom would be a better indicator of someone who is open to a bribe. Someone asset rich, the argument goes, is less inclined to be bribed. But I will leave that for another day.

I must say that the committee never considered this. This parliament should always reject the notion of having a wealth register. There was a suggestion put to the committee that, instead of outlining the shares that people held, we should indicate how many shares members held. This would change forever the pecuniary interests register and make it a wealth register. I do not believe the parliament is enhanced by such a notion at all. I say this because the media would, on any given day, go to that wealth register and, on a rising share market, would make out that somebody's wealth had been increased immeasurably. If members doubt that, I invite them to reflect back to the time the pecuniary interests register came out.

In the first flurry, a series of assets was listed beside members' names. The most disgraceful article I ever read was about a member elected to this place at that time. It was reported that the member had a housing commission loan. In other words, the inference to be drawn was that this guy was on a bit of a rort. In reality, the member had just been elected and had come into this place in what could only be charitably described as modest circumstances. He was not on a rort at all. All honourable members know that we do not get instant wealth just by being elected and walking into this place. That was completely overlooked in this article. A similar incident happened either last year or the year before with the member for Mansfield, who had some unit trusts, as I believe. It was written up that he was intolerably wealthy because he had a few shares, yet in reality what he had was unit trusts.

To show that I am completely impartial on this subject, I point out that the thing I think was completely below the belt from the media was the reporting earlier this year of the then Liberal Party candidate for Ryan, Bob Tucker. From what I could gather, Bob Tucker owned a beach house. There was no suggestion ever that he had got this by rorting. There was no suggestion that it was going to be subject to some state government approval. Like any other member of the community, he had worked hard to get this asset for himself. But somehow it became the subject of some media commentary that he owned this luxurious house that he had paid whatever amount for and now it was worth X amount. Have we really reached the stage in this country that we have given up providing for ourselves and our family? Have we really reached the stage where a pecuniary interests register in the hands of the media is the subject of some upward envy? Let me say this in a spirit of bipartisanship: if Tucker has worked hard for that beach house so as to provide a recreational centre for himself and his family, I say good on him. It should not be the subject of any political commentary from the media and I hope not from anybody on this side of the House. That is what is wrong with the pecuniary interests register in the way it is used at the moment and I fear that that would be what would be wrong with it if it were to become a wealth register.

It is essential that we retain maximum accountability. I do not attempt to walk away from that at all. That is what this provision enshrines. I think also that it would strengthen this House if somebody who has a direct pecuniary interest in something that is before the House stands up and declares it. I have no problems with that at all. In fact, I think it is important, too, in correspondence. If members are making representations to a minister about an issue in which they have a direct involvement, they should point this out to the minister, and in that way everybody is alert to and aware of it.

These deliberations of various committees are an historic moment with respect to the sub judice convention. They have come before this House, some have said, not before time. I wish to say, though, that in relation to the committees that I served on and had the pleasure of serving on with members of the opposition, and in one case an Independent, the strength of this place is the fact that members of parliament can deliberate on these matters totally professionally and come up with a report that is totally acceptable to all sides of the House.

In relation to all of those difficult issues that I started off my speech with this afternoon, there was never once a dissenting report. Not once did anybody get cold feet at the last minute and slither out with an easy option. It was not easy to find somebody who had deliberately misled the House. That was not easy at all. It was not easy to send out somebody for 28 days when they had poured milk on the steps of Parliament House. I congratulate members of the opposition on behaving as members of parliament on that issue.

In conclusion, what I am saying to the gallery today—to the hundreds of people who are listening to us—is this: the institution of parliament has been strengthened by the committee system; it will be strengthened again by the initiatives that are going to be hopefully passed in this parliament later today. Let's not have any more of this slithering away with pecuniary interest registers—wealth registers—or trying to deny people in this country who are a bit successful.
