



Speech by

**Mr L. SPRINGBORG**

**MEMBER FOR SOUTHERN DOWNS**

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Hansard 17 May 2001

### **CODE OF ETHICAL STANDARDS FOR MEMBERS**

#### **Statement of Fundamental Principles**

**Mr SPRINGBORG** (Southern Downs—NPA) (12.28 p.m.): I will just say through you, Madam Deputy Speaker: never say never in this parliament, because I have seen lots of things.

**A government member** interjected.

**Mr SPRINGBORG:** I remember when the member and I used to sit up the back together and we used to say what would and would not happen. A lot of those things that we said would not happen have actually happened and things that we said would happen have not, so just remember that.

**Mr Beattie:** If you had been in caucus, we would have voted for you.

**Mr SPRINGBORG:** I am sure the Premier would have. He would have fought to the very last drop of my blood; I can just see it.

In rising to support the Premier's motion, I would like to go through the history of my involvement in it. Over the past five or six years I have been a member of the Members' Ethics and Parliamentary Privileges Committee on and off—in fact, for most of that time. In 1996, at the first meeting of the committee of which I was a member, we were confronted with the need to develop some sort of code of conduct or ethical standards for members of parliament. That was contained in legislation that was introduced into this parliament by Premier Goss and there was an obligation on the committee to examine that. I must say that that proved to be an extremely challenging task, because we had to marry the public expectation with the expectation of those people who are involved in the ethics industry—and there are a lot of them and I must say that some of them are not very ethical in their own conduct—and the need to run the parliament the way in which the parliament should be run.

At the end of the day, we are balancing the community's expectation with what we can actually deliver in the parliament. As long as we have a robust democracy where there is a need for forthright expressions of views, I think it will always be very difficult to meet the community's expectation as to how parliament should be conducted. I also think that, if we do anything, we need to be very careful that we do not make this parliament a very sterile place in which people cannot put their views in a forthright manner.

In my experience travelling around the world—and it has been somewhat limited—I have sat in a number of parliamentary public galleries. Some parliaments are very similar to ours and other parliaments are so sterile that they have no feeling to them. I think that we need to be very, very careful to avoid that happening here. A parliament needs to be a place in which a degree of feeling can be expressed.

Of course, one thing that is different now from the days of our predecessors 100 years ago is the amount of scrutiny that members of parliament receive. If members read the *Hansard* records going back to the 1860s, the 1870s, the 1880s, the 1890s and the 1900s through to 1910—and I have had occasion to read them—they would find that there is little difference between the allegations and statements that are made in parliament today and the ones that were made then. However, in those days there was not the same level of media or public scrutiny of what actually happens in this place and outside this place as there is today. If some members believe that the things that are said today are a bit of a problem or might be a bit challenging, they should read some of the stuff that was said 100 years ago. It would peel the polish off your boot leather. There was the idea in the community of

statesmanship—and I suppose I need to be modern and say stateswomanship—and accessibility to politicians—

**Ms Keech** interjected.

**Mr SPRINGBORG:** I said that out of consideration for the 27 women in this parliament and the way members opposite carry on.

Members of parliament have never been as accessible as they are today—through email, fax, the ability to jump in a good motor car or take public transport and go down the road to see their member of parliament at their electorate office or as members do the rounds of their electorates. Sometimes that accessibility of members of parliament has led to a decrease in the standing and credibility of members. One hundred years ago, a member of parliament was a bit like a yeti—something that people heard about but not many people actually saw. Maybe every now and then people saw their member of parliament, coming up to election time, standing on a shoebox outside a hall. As a consequence, members of parliament had far greater credibility.

But in this day and age, many more people can gain access to their members of parliament. Having said that, I think that we have to concede that values and expectations change. That is why there is a need for the parliament to adopt the motion that was moved by the Premier and which is generally supported by other members of parliament.

In actually coming up with this code of ethical standards and other matters, the committee—and I am referring to those members who served on the committee over a particular period—had to undergo some very interesting experiences. I actually had the opportunity of looking at a couple of jurisdictions in other parts of the world. It is interesting to note that, in those jurisdictions, as parliaments and governments moved to meet the public expectation with regard to a code of conduct, disclosure or whatever the case may be, there was no commensurate increase in the standing of members of parliament. In fact, in a lot of cases, the standing of members of parliament was the status quo or even deteriorated. Once the bar is set high, some members will bump their head. Then people say, 'The members of parliament have this code of conduct, yet they cannot live up to it.'

To start with, we have to concede that most members of parliament on both sides are very ethical, have a good standing in their communities and hold good principles. At the end of the day, no code of conduct will rein in a member who does not want to abide by it. The same could be said about the Criminal Code or other restrictions that exist in the community. If someone has a predisposition to breaking the law or doing something wrong, they will do that. It does not matter what is written down in a code of conduct. After a while, such a code of conduct for members of parliament creates an expectation in people. They say, 'Gee whiz, they have this code of conduct and they still cannot live up to it.' I say to members that, at the end of the day, only a small percentage of people in the general community or in parliament are going to let the others down, and they should consider that.

I turn now to what overseas jurisdictions have done in relation to the conduct of members of parliament—certainly some of the United States jurisdictions. Over there, things that we would regard as normal—being able to go to an interest group, sit down, have a cup of coffee and talk over issues—are regarded as almost a criminal offence. That indicates how severely members of parliament are restricted in that country. Some jurisdictions in the United States regard such actions as a conflict of interest.

A few years ago I attended an ethics conference that was held here in Brisbane. A number of people travelled from around the world to attend it. That is the greatest gravy train one could ever imagine. Those people travel around the world attending ethics conferences and dictating to others how to run their lives. I asked one bloke from the United States, 'What is it like in the United States? Has this actually enhanced the role of members of parliament and has it actually made their standing better?' He answered, 'No. In actual fact, it has probably decreased it.' I then asked, 'How many people are involved in ethics over there?' He answered, 'Basically, if you are not on an ethics committee, you are in jail.' That comment came from a fellow who was involved in the process. However, some people are making a living out of this sort of stuff.

We have here a reasonable approach to a difficult issue. It is an aspirational statement and it is up to members of parliament to read it and abide by it. I refer to the 'appropriate use of entitlements'. I dare say that most members, if not all members, use their entitlements appropriately. For many members who do their job properly, the entitlements do not actually meet the expenses incurred in running their electorate offices. I have a part-time electorate office, which I fund out of my own pocket. I represent a vast rural area. It costs me a bit more in fuel to travel around than it would for members who are based down here in Brisbane or in other major centres. My electorate does not have the same access to a daily local newspaper or a twice weekly local newspaper, so I have to put out more electorate fliers than other members. It costs me more to do that.

A lot of people do not realise the actual cost involved in being a member of parliament. Most members of parliament spend more than their entitlements on being a good member of parliament. A

lot of people may believe that members of parliament receive an extraordinary amount in entitlements and misuse them. I say that most members use all of their entitlements and more.

The statement also refers to the 'appropriate use of information'. I am not aware of many instances in this place where information has been used inappropriately. However, it is something that we need to have included in this statement. Most members expect to receive parliamentary privilege, which gives them the opportunity to stand in this place and say what they believe they have to say to fearlessly represent their constituents or the state, or to right wrongs. Few members have ever abused the use of information or abused the process of parliamentary privilege.

The statement also refers to the 'independence of actions'. In that regard, I refer to what happened in the United Kingdom a number of years ago when backbench members of parliament were enhancing the amount of money that they were taking home by asking questions for cash, which is novel. I do not think that anything like that could possibly happen in a state like Queensland. Sometimes people do not realise how little influence members have when they sit on the back bench, or sometimes even when they sit on the front bench. The parliamentary processes and the processes of scrutiny ensure appropriate action. For members of the executive government who do anything wrong, we also have external review mechanisms such as the CJC, the Integrity Commissioner and a fearless media. Even if a member is predisposed to do something wrong and does something wrong, it is very difficult for that member to get away with it.

The other interesting thing about the UK situation is that, because their members of parliament are not paid well enough—at least this was their excuse—they asked questions for cash. Here we are reasonably well remunerated. Some people take a pay cut to come to this place. We do not have to deal with those sorts of issues because we have addressed some of the fundamental underlying causes of those particular problems.

The Statement of Fundamental Principles is a good one. It matches the aspirations of members of parliament and the community. Members of parliament are a personification of the community. We are a reflection of the community. As with any other group, members of parliament do suffer from human failings. People have to accept that. However, the majority of members of parliament do the right thing. That needs to be considered if any future allegations are made that some member of parliament has abused or stepped outside what is contained in the Statement of Fundamental Principles.

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