



Speech by

ANDREW McNAMARA

MEMBER FOR HERVEY BAY

Hansard 10 April 2002

ELECTORAL[RESIGNATION OF MEMBERS] AMENDMENT BILL

Mr McNAMARA (Hervey Bay—ALP) (8.53 p.m.): I rise to oppose the Electoral (Resignation of Members) Amendment Bill 2002. At the outset, I acknowledge the presence in the gallery of my sister, Patricia Mumford, and her husband, Kevin, and their children, Centaine and Courtney. For the benefit of my friend the member for Southern Downs, I point out that they were not waving at him and the time for the challenge is not right yet.

While I understand that the intent of the honourable member for Nanango is to prevent what she says are unnecessary by-elections, I suggest that the passage of this bill into law would create a far bigger problem than that which she hopes to address.

Mr Strong: A great speech.

Mr McNAMARA: I take the interjection of the honourable member for Burnett. Whatever happens with this bill, he will never let his people down and will serve many terms in this place with distinction.

By-elections cost money. For the record, I do not think there is any argument that as a matter of honour and good faith members should serve out their term when elected to this place or to other parliaments or to local councils for that matter. But let me ask the honourable members supporting this bill: do we really want to have members in this place who are here only because they cannot afford the costs of up to \$250,000 for a by-election so they can leave? What is the precedent out in the world for a penalty such as this? The honourable member for Surfers Paradise, as a former distinguished lawyer, would know that in contract law and employment law there is no provision which can keep an employee at their workplace forever.

Can the member for Nanango name any other area of human endeavour in which free men and women cannot leave without huge financial penalties? For every other worker or employer in Queensland it is the same. If we want to change employment, retire or move, we quit. We are not slaves here, we are people. Legislation such as this which offers to belt politicians, while perhaps being superficially populist, is in fact quite contrary to the public interest. I am adamant that what we should all want and what the public needs is people elected to this place who are passionate about being here. Our democracy is best served by a parliament made up of people filled with energy, drive, enthusiasm and a devotion to serving the interests of their electorate and Queensland.

As annoying as so-called unnecessary by-elections might be, is not a solution which encourages uninterested time servers far worse? Who here would feel comfortable in saying to the people of some unfortunate electorate that, although their member is uninterested and has retired for all intents and purposes, we are going to keep him or her on the payroll and prevent their being represented by someone who actually wants the job?

Let us have a look at some recent history and ask ourselves whether the people would have been better served had the provisions of this bill applied. I never served in this place with Rob Borbidge. Although he won his seat of Surfers Paradise at the election on 17 February 2001, he did not take up the seat next to the honourable member for Southern Downs in this House for the 50th parliament. I do not speculate on his motives, but I certainly do not criticise him for his decision. As far as I am concerned, if he did not want to be here, if he felt in his heart that he did not want to represent the people of Surfers Paradise, unquestionably he did the right thing. He did not take the pay under false pretences by not being here. He resigned and invited the community to find someone who really

wanted the job. He also impliedly invited the community to judge his party, which they did. I ask the member for Nanango: are the people of Surfers Paradise not better off for Mr Borbidge's honesty? The current member for Surfers Paradise wants to be here.

I have no hesitation in saying—and I defy any honourable members to contradict me—that the community deserves representation, not stagnation. Members will accept that the electorate vented its frustration at having to vote again so quickly by punishing Mr Borbidge's party with a 40 per cent swing against it, reducing the National Party's primary vote in the formerly safe seat to around seven per cent. That is the appropriate way for a democracy to respond to the scenario of an unnecessary early election.

Members of the Liberal Party will, of course, also be too well aware of the displeasure of the voters of Ryan over John Moore's early departure in 2001. Political parties have got this message loud and clear. After the Ryan and Surfers Paradise by-election results in 2001, I suggest that this new legislation is not only unnecessary but also counterproductive.

I ask honourable members thinking of supporting this bill to consider for one moment the very sad case of the late Charles Rappolt. I know that the three One Nation members here and I am sure the two former One Nation members—the members for Maryborough and Nanango—will take this very seriously. Mr Rappolt was elected to this place in the general election of 1998. I think it is fair to say that he was not happy in the role of a member of parliament and he resigned fairly soon thereafter. Tragically, he later took his own life. This desperately depressed and anguished man felt that he had to leave this place and he did. Very sadly, that was not enough to save his life, as he was unable to find a way out of his depression. But just imagine how we would feel if, before he had been able to leave, he had been forced by this bill to seek medical evidence or to satisfy the Premier and the Opposition Leader, or to come up with \$250,000. When we leave this place, we should go—no deals, no doctors' certificates, no satisfying other politicians that our reasons are valid. We just have to decide that we do not want to be here and that is good enough.

This is a job that is very demanding on people who receive no remuneration, and even less recognition—our families. They put up with us being away for weeks on end. They put up with being harangued in shopping centres and having abusive messages left on their home answering machines. They get none of the glory and all of the grief. If they ever say, 'It's over; I need you at home,' then again I suggest that is enough—no matter if that comes from a spouse, children or a parent, and no matter whether it happens after one year or 20 years. It should be enough. I would hope that every one of us would say, 'Family comes first and if they need me at home, so be it'—no medical certificates and no satisfying anyone else's standards of what is right. Just go!

This bill puts time in this place above our duty to our families. It values pointless time-serving above personal honesty—and indeed, honesty to the electorate. It puts a massive financial impediment in the way of someone leaving this place—someone who cannot do the job or does not want to do the job. Ironically, it could serve to keep people who can do the job, such as the member for Surfers Paradise, out of the job. It creates a penalty and a barrier which no other worker in the state has to suffer.

It is, I suggest, unfair and ill-conceived. It creates unintended hardship and only panders to that section of public opinion that hates all politicians, and always will, whether this bill is passed or not. I urge all honourable members to vote this bill down.
