



Speech by

CHRIS CUMMINS

MEMBER FOR KAWANA

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ELECTORAL [FRAUDULENT ACTIONS] AMENDMENT BILL

Mr CUMMINS (Kawana—ALP) (10.12 p.m.): I think it was C. C. Colton who said, 'We owe almost all our knowledge not to those who have agreed but to those who have differed.' Members of the opposition have the right to differ with the majority of Queensland due to their obvious lack of mandate.

I take this opportunity to place on the public record my thanks to the many Australian Labor Party branch members across the Sunshine Coast, and indeed across Queensland, who continue to support our state government's strong commitment to electoral reform. In November or December 2000 I was immensely proud to be preselected as the first ALP member to contest the state seat of Kawana on God's own Sunshine Coast. Many realise that at the same time we were at the height of the Shepherdson inquiry, a low point for the Australian Labor Party indeed.

Yesterday this House passed the Electoral and Other Acts Amendment Bill 2002. That bill marked a new era in Queensland politics. It delivers on the commitments made by the Premier in his Barcaldine statement of January last year. It will make Queensland electoral laws the toughest and most democratic in Australia. The bill passed yesterday requires political parties and candidates to meet new standards of honesty and accountability and imposes tough new penalties for electoral fraud. These reforms are aimed at eliminating electoral fraud and restoring confidence in the political process. The bill included the toughest penalties for electoral offences of any jurisdiction in the country.

The penalty for supplying false or misleading information was increased from six months imprisonment to seven years imprisonment, the toughest in Australia. The penalty for bribery was increased from two years imprisonment to seven years imprisonment, the toughest in Australia. The penalty for forging or uttering electoral or referendum papers was increased from six months imprisonment to 10 years imprisonment, the toughest in Australia. The penalty for voting if not entitled was increased from six months imprisonment to three years imprisonment, the toughest in Australia. In addition, the bill banned people with convictions for disqualifying electoral offences from nominating as candidates for state or local government elections. This was necessary to maintain public confidence in the honesty and integrity of elected representatives.

In his Barcaldine statement Premier Beattie committed to the reform of the membership and conduct of political parties. To achieve those commitments the bill imposed strict new requirements for registration of political parties. Only parties which have constitutions that comply with the standards set out within the bill will be eligible for registration and public funding. This will bring a level of transparency and accountability to political parties never before seen in this great country.

Under the bill passed through this House, all political parties' constitutions must contain information about how the party manages its internal affairs, membership rules and election rules for office-bearers and preselection of candidates for state or local government election. It will be interesting to see how Pauline's former party will cope. I have received a letter from a constituent, which states—

One Nation is a neurotic reaction uniting all disagreements in ignorance of what it represents. That is why they have no defined policy of their own.

We learned today that another member has left the party. That is not surprising, but it is very disappointing for people who have put their faith in a party candidate to see that candidate turn their

back on the electorate. We have already seen a supposed Independent elected to this House then turn his back on his people by joining the National Party.

The bill excluded people who are not on the Queensland electoral roll from voting in preselection ballots. The constitution of all political parties must also commit the party to conducting preselection ballots in accordance with the principles of free and democratic elections.

Mr Mickel: How do you reckon Peter Slipper will go on that one?

Mr CUMMINS: He will have a lot of problems, as has been documented in this House.

Political parties must exclude people who are not on the Queensland electoral roll from voting in preselection ballots. Their constitutions must prohibit people from becoming or remaining a member of the party for 10 years if convicted of a disqualifying electoral offence.

The bill passed yesterday defined 'preselection ballot'. Political parties will be free to adopt whatever form of preselection process they wish, provided the rules are clearly stated within their constitutions. This, I believe, is the way forward for electoral reform. Where the party rules provide for preselection ballots to be conducted as part or whole of the preselection process, new standards of accountability will apply and the ballots will be subject to oversight by the Electoral Commission under the new part 8A.

These new rules provide a challenge to all political parties to improve the processes for the selection of candidates for political office. This, in the majority of cases, has given political parties a bad name through the preselection process, vote rorting and so on. The challenge is to follow the lead of the Australian Labor Party and conduct open and accountable preselection processes in which members of the party have a real say.

Mr McNamara: Michael Johnson must be mortified by that.

Mr CUMMINS: I will be interested to see how the Liberal Party tries to adapt to the hardest legislation in Australia with regard to political reform.

The Electoral Commission will be able to inquire into a ballot at any time before, during or after its conduct and act on its own initiative or on a complaint or complaints. This will apply to preselections for both the Legislative Assembly and local government elections. There will, in addition, be an overall random audit of preselection ballots for Legislative Assembly candidates following each general state election. There are new requirements for how-to-vote cards to be lodged in advance with the commission, and we heard the minister speak yesterday of seven days, along with declarations as to any financial contributions received from or on behalf of another political party or candidate. This way everyone will know what the preference arrangements are well before polling day. The lodged cards will be available for public inspection before polling day and as far as is practicable on polling day in each polling booth. It will be illegal for how-to-vote cards which have not been lodged at least seven days before polling day to be distributed on polling day.

Queenslanders—in fact, most Australians—are wary and often cynical of politicians per se. All political parties must share the blame for the general public's cynicism, but overall the vast majority who seek public office are more often than not doing it for the right reasons. Yes, one of the beauties of our democracy is the ability to voice our opinion, to put forward our community's beliefs and aspirations, to better our community and to make a difference. Vote rorting, branch stacking and such are not unique to any one political party. These issues were addressed in yesterday's legislation. Therefore, I condemn this bill before the House.
