



Speech by

JEFF SEENEY

MEMBER FOR CALLIDE

Hansard 29 October 2003

SESSIONAL ORDERS, WHISTLEBLOWERS

Mr SEENEY (Callide—NPA) (Deputy Leader of the Opposition) (6.20 p.m.): I rise to support the motion that was moved by the Leader of the Opposition that this parliament amend sessional orders to prohibit members of parliament from naming or otherwise identifying a person whose identity is protected pursuant to the Whistleblowers Protection Act 1994. That is the motion that is before the House. I would suggest that the two speakers we have heard from the government side of the debate tonight should read the motion and consider the proposal that is being put before the parliament tonight.

The proposal that is being put before the parliament tonight is not whether or not the Minister for Families is guilty or otherwise, whether or not the Minister for Families did the right thing or the wrong thing. That is a subject for another debate at another time. The only relevance that that has to this debate is that that particular debate highlighted a possibility that the standing orders of this place could be somehow deficient and that the standing orders of this place need to be strengthened.

The standing orders of this place are the rules that we apply to ourselves—the rules that we as a parliament agree on at the beginning of every parliament to apply to members of this parliament. In that regard the government's amendment to the motion is quite absurd. Of course all members of this parliament are going to acknowledge the fundamental importance of parliamentary privilege to the workings of the parliament and the democratic freedoms it represents. Of course all members of this parliament are going to acknowledge that. The motion before the House does nothing to erode that. There has been no suggestion that that basic fundamental parliamentary privilege of this place be eroded. There is nothing in the motion that was moved by the Leader of the Opposition to suggest that.

The motion suggests that the standing orders or the sessional orders, or the rules that we apply to ourselves, have been shown by an incident in this place in the last couple of weeks to be deficient. We need to amend them. We need to change them.

Ms Spence: That's absolute rubbish.

Mr SEENEY: It has nothing to do with whether or not the minister's particular incident was right or wrong or otherwise. What that particular incident did was highlight the fact that some member of this parliament in the future can stand up here and name a whistleblower in a way that would lead to that person suffering consequences that none of us would want.

I am not suggesting, and the motion does not suggest, that that happened in the minister's particular case. I do not even want to get into that debate because it has very little to do—

A government member interjected.

Mr SEENEY: No, I will. We can get into that debate at another time, and that would be an interesting debate to have. To a great extent we have already had that debate. But this motion tonight—

A government member interjected.

Mr SEENEY: That is arguable, but this motion tonight is about fixing up the possibility to make sure that that particular circumstance does not happen in the future because I will not assume that it happened in the past. It is for us to decide as a parliament that it is inappropriate for any member of this parliament to use the protection of parliamentary privilege to name somebody who is protected by

the Whistleblowers Protection Act in a way that would mean that they would suffer inadvertent consequences.

The CMC quite rightly identified that the Whistleblowers Protection Act does not apply to members in this place. They quite rightly identified that. The question for us as a parliament now is: how do we respond to that? What do we think is a fair thing? Does the minister think that it is a fair thing for some other member of this House to be able to stand up here tomorrow morning and name a whistleblower? Do the minister believe that that is appropriate?

Mr Lucas interjected.

Mr SEENEY: Of course she does not; nor does the member for Lytton. I know him well enough to know that he does not think that that would be appropriate. There are members in this House who we all know are irresponsible enough to do that under particular circumstances. What we need—

Ms Struthers: Name them!

Mr SEENEY: I will not name them, but I will tell the member where they sit. What we need to do as a parliament is to make sure that we amend the sessional orders.

Time expired.