



Speech by

**Mark McArdle**

**MEMBER FOR CALOUNDRA**

Hansard Wednesday, 29 November 2006

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## **CRIMINAL CODE AMENDMENT ACT**

**Mr McARDLE** (Caloundra—Lib) (5.40 pm): It is a privilege to rise tonight to second the motion moved by the Leader of the Opposition. The Beattie Labor government has clearly written itself into the annals of history as being bereft of any moral right to govern this state. Members do not have to go any further than the disgraceful action of amending the Criminal Code which removed the crime of giving false testimony from the statute books of Queensland. Members need to take the time to think about what this portrays to the people of Queensland.

This House should and must be held in the highest possible regard by every Queensland. That requires members imposing on themselves the highest possible standards. We are elected by the people of Queensland to govern on their behalf and in that capacity we have very strict and onerous obligations. To say that we as parliamentarians are above the Criminal Code is a nonsense. Yet that is exactly the message that the Beattie Labor government sent to the people of Queensland when it removed these sections of the Criminal Code.

Every member in this House has received letters and read reports in which Queenslanders have made very clear that by taking this step we have reduced the esteem in which parliamentarians are held even further. To put it bluntly, the real reason for the amendment was purely political and in no way reflected the true intention of the people of Queensland; nor was it for the protection of the parliament as an institution. If we are going to hold the offices that we do, our obligation is to do the job effectively and correctly. If a government is conducting itself in a correct and proper manner there should not be a concern that a minister or, for that matter, any other member will be guilty of a crime in executing his role as a member of this parliament.

However, if a government believes it cannot trust or rely on its own parliamentary members, the only way it can protect itself is to remove legislation that places those members at risk. The argument put forward by this government that because the law had not been used and the real reason as to why it was enacted could not be established and it should therefore be removed is a ridiculous one. Clearly, behind those mealy-mouthed words is the reality that they were concerned at what could be established in a criminal court and what could be established through the criminal justice system. It was a paranoid reaction driven by fear: fear of being found out, fear of being charged, fear of being convicted. Once that process is in train paranoia becomes overwhelming. Once that paranoia takes hold the irrational actions follow.

In addition, by taking the action it did, one clear result is a further enormous loss of faith by the public in parliamentarians and the process of government. Whether the government admits it or not, the Beattie government, in amending the Criminal Code in the way it did, further reinforced in the public's mind the low perceptions that they have of us. If we are going to regain respectability, putting the code back into the state it was is one step in that process.

Earlier today we had a significant debate on the question of credibility—though on different matters. However, the question tonight is still one of credibility. If we do not have credibility as parliamentarians we have very little else. When we are stripped of that it means that the institution of parliament itself cannot be

sustained. Parliament's credibility rests on the very credibility of its members and we need to rebuild that with the public.

The removal of sections 56, 57 and 58 of the code was dictated by motives other than enhancing parliament. These sections must be reinstated to help rebuild that trust with our fellow Queenslanders. The question tonight is not simply one about the Criminal Code; it goes much deeper. It goes to the very essence of the existence of this House. This was an event that should never have occurred and was dictated, as I said earlier, by political motives. It was wrong. The government now understands that the man that it was passed to protect was also wrong and that man is now to be drummed out of the Labor Party. It was wrong to do it then and it is wrong to sustain it at this point in time. It is time for this House to take back the credibility it took away from itself and support the motion here tonight.