



Speech by

Hon. PETER BEATTIE

MEMBER FOR BRISBANE CENTRAL

Hansard Tuesday, 28 February 2006

MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE, MEMBERS' ENTITLEMENTS

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier) (2.31 pm): I move—

That the House request that the Members' Ethics and Parliamentary Privileges Committee review the provisions covering the absence and leave of members of parliament including:

- how many days a member can be absent from the Legislative Assembly before he or she is required to notify the House;
- the development of guidelines on how members of parliament should be required to notify the parliament or their electorate if they will be absent for a sustained period of time;
- consideration of appropriate reasons for extended absence from both parliament and the member's electorate; and
- whether it is appropriate for members of parliament to engage in business activities or employment which would require significant time away from electoral duties and, if so, whether guidelines for such activities should be developed.

Events over the past few days have led me to believe that we should examine tougher accountability measures for all members. The regrettable absence of the former member for Gaven, Mr Robert Poole, has heightened inadequacies in the Parliament of Queensland Act 2001. Clearly, the rules governing members of parliament and absences from their duties are, some would suggest—and I think there is some merit in this—out of kilter with those of other workers in Queensland. I think it is time that the House reconsiders these matters under the auspices of the Members' Ethics and Parliamentary Privileges Committee.

Traditionally, members of parliament have been granted special conditions to take account of the lack of security of tenure. As we all know, we come up for renewal every three years and that is the basis of the contract. However, as many Queenslanders now work under similar conditions, I believe there should be a thorough investigation of the issue by the committee, which has all members of parliament represented through their respective parties. Queenslanders have made it clear that they expect their MPs to be more accountable these days, and I am ready to support them. Queensland will lead the way for other parliaments with these proposed changes.

This motion speaks for itself. Let us see what the committee comes back with. I have not set a time line for this issue, because I think the committee may need to do a number of things. Firstly, I think it needs to look at Westminster systems elsewhere in the world and in Australia. I think it needs to look at overseas examples. I am not suggesting travelling; there is the internet these days. However, I do think that committee members should examine the precedents that exist elsewhere. What are the rules that apply? We should then end up with the best possible standards.

I have asked my staff to have a quick look at what applies already in other jurisdictions. Victoria has no provision for absence of members at all, which means that members may remain until they resign or are voted out. In Tasmania the member is liable for contempt if absent for more than 14 consecutive calendar days of sittings. This rarely becomes relevant as the House rarely sits for 14 days in a row, so that does not mean anything. Tasmania also has a provision in the constitution that a seat is vacated if a member fails to attend for an entire session. In practical terms, this used to be a year as the House was normally

prorogued at the end of the year. However, now it could technically mean absent for the entire four-year term as the House is rarely prorogued. So neither of those examples is any good for comparison purposes.

Western Australia is similar to the Tasmanian parliament but requires only nine days absence before the contempt provision applies. A special bipartisan committee of the House resolved to vacate the seat of a member who was missing in action in World War II in 1942.

Section 13A of the New South Wales constitution has similar provisions to Tasmania and Western Australia in that the seat is vacated if a member fails to attend for an entire session. In practical terms, this is now four years. So there are no provisions for contempt.

In Queensland, a vacancy is declared if the member is absent without the Assembly's permission for more than 21 consecutive sitting days, whether over one or more sessions. South Australia has similar provisions, but the seat will be declared vacant if the member is absent for 12 consecutive sitting days.

Section 38 of the Commonwealth Constitution provides that the place of the member becomes vacant if, for two consecutive months of any session of the parliament, the member without the permission of the House fails to attend the House. In practice, permission is proactively sought when it is likely that the member will be absent for more than two months. I look forward to working with all parties to ensure that provisions for MPs' leave and absences are brought into line with community expectations.

I should highlight that no member of my team, minister or backbencher, is allowed to be absent without approval either from the whip if they are a backbencher or from me if they are a minister. So we already have a very rigid system that exists here. Members do not come here willy-nilly. They have to attend, and the government of the day has to provide the quorum. Hence, on that basis, it is up to us to ensure we have a rigid system in place that means that members are here in this House. I am not aware—and the whip can speak for this, because it is his responsibility—that the member for Gaven was ever absent from here without approval.

Mr Terry Sullivan: No, he wasn't.

Mr BEATTIE: I take that interjection. So the system does already work. Some reference has been made by the Deputy Leader of the Opposition to various pieces of legislation. That does relate normally to constitutional matters. Issues relating to leave are really matters which should be in the code of conduct. That is why I think this parliamentary committee should make reference to it.

I do not think we should have any double standards or hypocrisy about this nonsense. I find it sad that when a high-profile member representing a coalition seat decided to take an overseas holiday for more than two months the leaders of the Liberal and National parties raised none of the issues that have been raised in recent days. Joan Sheldon, a former Treasurer and Liberal leader, went missing on 21 August 2003 and did not return from what the *Courier-Mail* described as a long overseas holiday until 29 October. She missed more than three sitting weeks but local papers continued to run her weekly column as normal. The opposition merely said that it was disappointed and that it was a matter for the electorate. In fact, I have some of the press cuttings from that time which I will table for the information of the House. I think we should get some honesty in all of this. You all know that happened. Talk about dishonesty and double standards! You guys are not bad at it.

Mr Seeney interjected.

Mr DEPUTY SPEAKER (Mr Wallace): Order! The Deputy Leader of the Opposition will cease interjecting.

Mr BEATTIE: Three sitting weeks!

Mr Seeney: You approved it.

Mr BEATTIE: Well, who approved that? Did the Leader of the Liberal Party approve that? Did you approve it? Who approved that? If it is good enough to make those points about us, who approved that? Someone should put up their hand. Who approved Joan Sheldon's leave?

Mr DEPUTY SPEAKER: Order! Could the Premier address his comments through the chair.

Mr BEATTIE: The point is that this is a nonsense, and you know it. You got caught out in your own double standards. You also know—and I made reference to it this morning—that one of your own frontbench members whizzed off to Italy and missed a week. I wonder what he was doing. Who gave him permission to do it?

Mr HORAN: I rise to a point of order, Mr Deputy Speaker. I find that offensive. I am the person he is referring to.

Mr BEATTIE: Oh!

Mr HORAN: I had approval from the leader for one week.

Mr DEPUTY SPEAKER: Order! There is no point of order.

Mr HORAN: No, there is a point of order, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Order! There is no point of order.

Mr HORAN: I want that to be removed—

Mr DEPUTY SPEAKER: Order! You will resume your seat.

Mr HORAN: I find it offensive and I want it removed.

Mr DEPUTY SPEAKER: Order! You will resume your seat. The Premier did not personally mention you in his speech.

Mr BEATTIE: Mr Deputy Speaker, let me come back to the point. I did not mention the member by name; that is absolutely correct. Let me simply say that I rest my case—it was by his own admission. The reality is that you all know you have been out there running double standards about member's absences. You cannot have it both ways.

Mr HORAN: I raise a point of order, Mr Deputy Speaker. The matter referred to me. It was a family matter. It was to see our daughter who lives overseas, who was pregnant and who was having problems, and we had a holiday with her in Italy. We did not have a holiday at Christmas.

Mr BEATTIE: Did you tell the parliament?

Mr HORAN: I had approval. I find that offensive and I ask it to be withdrawn.

Mr DEPUTY SPEAKER: Order! All members will resume their seat. I would ask the Premier to address his comments through the chair. There is no point of order. The Premier has not mentioned you personally in his remarks.

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! I am on my feet and you will listen. There is no point of order. I ask the Premier to resume and to address his remarks through the chair.

Mr BEATTIE: I do, and I thank you, Mr Deputy Speaker. I wish to make this final point. I find it ironic that a man who has a son with some form of leukaemia is not allowed to take some leave but there are other personal circumstances that some suggest are good enough—and they may well be. My issue was not with the nature of any trip people have made but with the hypocrisy about this: that there was no advice given to the parliament—none at all. Let us have no more double standards about it.

I go back to what I said about Joan Sheldon. I did not make any issue about any of this. I say to anyone here who may be referring to it that I made no issue about any of these matters at the time, and I would not have done so on this occasion if it was not for the fact that your party started this nonsense. If you have an issue, you go and talk to Mr Seeney, the Deputy Leader of the Opposition. I am tired of your hypocrisy and your double standards. If you have an issue, go and talk to Mr Seeney—the Deputy Leader of the Opposition—about it, not me.

I come back to the point. People who get ill are entitled to some dignity. Every time members opposite drag these issues down, yes, they do some damage to the government, but they damage every member in this parliament. We will end up with rules out of this which mean that anyone who wants to head off in their electorate and spend three weeks doing their farming will have to be accountable in this parliament. Let us get up and explain to the people of Queensland if there is a sugar season on and the member is out cutting or if the member wants to go out and tend to some of his cattle. The members opposite have started an openness and accountability that I support. Let us get it all on the record forever permanently.