



Speech by

**Mike Horan**

**MEMBER FOR TOOWOOMBA SOUTH**

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## **CRIMINAL CODE (HONESTY AND INTEGRITY IN PARLIAMENT) AMENDMENT BILL**

**Mr HORAN** (Toowoomba South—LNP) (9.24 pm): Tonight is an important debate because we are talking about all of the traditions and the values of this parliament that the people of Queensland hold in great stead, as well as the standards that the public expects of members of parliament. The institution of parliament and its members have taken a battering over recent years. Members of parliament have been jailed and there have been debates about issues to do with parliament. However, the parliament took no bigger battering than when a change to the legislation was mooted in 2005 and put in place in 2006 that removed from the code the criminal offence of being dishonest when making statements to the parliament or giving evidence to the estimates committees or other committees.

People expect a lot of politicians, priests and police. They expect high standards, despite the fact that those people are human beings and may fail. They expect higher standards from people who hold positions of trust. The original legislation, which the Leader of the Opposition is attempting to reintroduce through this bill, acted as a handbrake that stopped people from going too far in telling mistruths, not only in the parliament but when giving evidence to committees. Let us look at the importance of some of those committees. These days the state budget is around \$36 billion or \$37 billion. Therefore, the estimates committees are very important, as are the matters that are canvassed and the evidence that is taken by those committees. Absolute truth must be provided by witnesses, whether they are members of parliament, senior members of the Public Service, or anyone else who is called before a committee to give evidence. That is true for all committees, not just the estimates committee.

It is important to the people of Queensland that they can trust the integrity of this parliament and the integrity of the process of giving evidence on such important matters as multimillion-dollar and multibillion-dollar contracts before, for example, the Public Works Committee, the Public Accounts Committee or an estimates committee, or serious matters that may be examined by the PCMC or an inquiry being undertaken by a select committee looking into the sale of petrol. It is important that the truth—the absolute truth—is told and that any temptation for people not to tell the truth is firmly pushed out of the way by the strong sanctions that used to exist in the Criminal Code.

The Labor government undertook a major review of the Criminal Code. Eminent attorneys-general such as Matthew Foley, the former member for Yeronga, and Mr Welford undertook reviews and changes. Throughout those extensive reviews they never saw fit to make the sort of changes that were made in 2005 to protect a Labor mate, the former member for Sandgate. I doubt if members of the Labor government of the day would have dared to do what they did in 2005 and 2006 if they knew then what they know now. But they did it to save a Labor mate.

Previously in this parliament I have spoken about Attorney-General Foley. He did not see fit to make any changes to the legislation. He was a great civil libertarian. If anyone thought there should have been changes, it would have been him. Attorney-General Welford took parts out of the Electoral Act and put them into the Criminal Code because of the scandal surrounding rorts by previous Labor members that resulted in the Shepherdson inquiry. The Shepherdson inquiry once again dented public confidence

incredibly. Three Labor members of parliament had to resign: Mr Elder, Mr Musgrave and Mr Kaiser. Another one, who still sits here today, was saved by the skin of his teeth because, as I remember, the effluxion of time meant that no action could be taken. Just a few days saved his bacon. Tonight he had the hide to come in here and lecture us. As others have said, he could not remember who was driving the car when he went through the red light.

We have a unicameral parliament in Queensland. We are different from other places. Everything in here is won by the vote and that is the end of it. There is no handbrake in the form of an upper house. It is essential that the truth is told in this parliament. As I said previously, it is essential in important committees of inquiry or in estimates committees, where we are dealing with billions of dollars and matters of great importance to the public of Queensland such as the accountability of spending taxpayers' money, that everybody tells the truth and knows the consequences of not telling the truth.

Under the previous legislation that contained criminal sanctions, there would have had to have been a whole process. First of all, the member of parliament would have had the opportunity to apologise and reverse the decision. But then there would have had to have been charges laid. There would have had to have been an investigation by the Queensland police. There would have had to have been a referral to the DPP. Then there would have had to have been a court case judged by our judicial system. So it was a fair and lengthy process, but it certainly meant that members in this House had hanging over them this very, very strong standard and sanction to make sure that they told the truth. Basically, now all that happens is someone can get up and say, 'I'm sorry. I misled the House,' or 'I was wrong. It was a mistake.'

When this matter was brought before the parliament by the Labor government in 2005, it was about someone who had repeatedly been asked the same question at the estimates hearing and continued to come back with the same answer and continued the whole attitude towards the situation until finally he was dragged kicking and screaming into this place by the government indicating that it would change the legislation to make a belated apology. How would we in this parliament deal with people who are not members of parliament who deliberately mislead an estimates committee, who deliberately mislead an inquiry being held by one of our very important committees of this parliament—be it public works or public accounts or the ethics committee or any of the other committees? How would we deal with it? Are we going to suddenly be the judge and jury or should it be better left, as it would be under the legislation that we are endeavouring to bring into this House, for charges to be laid, for investigations to take place, for proceedings to be referred to the DPP as a result of those investigations and then for the courts to make that judgement? It is not our job to be judge and jury. We are here as members of parliament.

This place has been tarnished by members of parliament being jailed for corruption, paedophilia, attempting to bribe the Premier—all sorts of things.

**Ms Jones:** What about members of the National Party?

**Mr HORAN:** I take the interjection that members of my party back in the 1980s were jailed. Some of those matters were then dealt with by changes to regulations. To the extent that ministers now have the right and privilege to use ministerial cars, back then people went to jail for using them in that way. We then had the head of the CMC in the early 1990s tell this House that enough was enough when travel matters were being investigated. Changes were then made, as I remember, to travel arrangements so that it was clear to everybody what they were and were not entitled to.

What this is about tonight is having integrity in this place and having an absolute system of truth and honesty from members of this parliament and those people giving evidence to very important committees of the parliament dealing with taxpayers' funds so that the public can have confidence and so that this place can once again be held in high esteem. It lost that esteem in 2006 when Labor passed its insidious legislation that ruined public confidence once and for all.

*(Time expired)*