




Speech by

Deb Frecklington

MEMBER FOR NANANGO

Hansard Wednesday, 1 August 2012

CRIMINAL LAW (FALSE EVIDENCE BEFORE PARLIAMENT) AMENDMENT BILL

 **Mrs FRECKLINGTON** (Nanango—LNP) (6.21 pm): I rise to support the Criminal Law (False Evidence Before Parliament) Amendment Bill 2012. This bill will reintroduce repealed section 57 to make it an offence to knowingly give false evidence to parliament or its committees. Before becoming a member of parliament I was a practising solicitor and I find it incredible that the Labor government deliberately changed legislation to make it possible for a member of this great House to lie in parliament and not be held to account. What does that say about the previous Labor government and the way that it did its business? The amendment our government is proposing will help Queenslanders regain respect for this parliament. It will serve to enhance the reputation of our decisions and actions and help ensure that we act responsibly and with the highest integrity. We gave an LNP election commitment that, in the first instance, we would change the legislation so that no member of this House could lie. I congratulate the Attorney-General for bringing this bill before the House as soon as was practicably possible.

Personally, I would only ever tell the truth in this chamber. This bill ensures that all members of this chamber and all members of the public understand that we are voicing the truth. Surely everyone in this chamber must agree that we must rebuild the integrity of this state parliament. I find it insulting that the Leader of the Opposition stood here and said that this was our excuse not to answer questions. I congratulate the member for Condamine, Mr Ray Hopper, for explaining in detail what went on during the Nuttall incident and why we are here again arguing about this issue through the bill that is before the House today. I congratulate my predecessors and people from our side of politics who are still in the chamber, such as the Hon. Jann Stuckey, the Hon. Ros Bates and Dr Alex Douglas. Dr Douglas spoke on the original bill and has given a copy of the speech that he made on the night of 25 May 2006. I thank them all for standing before this House and arguing for what is right. Unfortunately, their arguments were stood down. Tonight, let us hope that the numbers will prevail, as everyone can see the common sense in the legislation that is now before this House. From now on, if someone lies while speaking in this room they will be deserving of criminal sanction. The legislation will allow the courts to deal with that poor conduct and will hand decisions to the criminal justice system, which is better equipped to judge an accused's evidence while ensuring the accused is afforded procedural fairness. A maximum penalty of seven years imprisonment will apply and the offence will apply to members and non-members.

Again I thank the member for Condamine, Mr Ray Hopper, and members of the Legal Affairs and Community Safety Committee for considering the policy outcomes to be achieved by the amendment to the legislation and ensuring that the bill has had sufficient regard to the rights and liberties of individuals and to the institution of parliament. After reading the committee's report, I am pleased to know that the committee canvassed a wide range of views in order to inform the bill. This in turn will lead us to better policy and legislation within this great state.

History provides the need for this bill, as has been ably discussed by the member for Gaven, and I will not repeat it. It is a shame that time precluded him from giving us a history lesson about everything that went on during the debate of Mr Beattie's government's bill on the night of 25 May 2006. The committee's

report noted that section 57 was included in Sir Samuel Griffith's Criminal Code as it was enacted in 1899. The Parliamentary Privilege Act 1861 made it a misdemeanour, to be punished in the same manner as wilful and corrupt perjury, to give a wilfully false answer to any lawful and relevant question put in the course of examination before either the House or a committee of either House. When the laws relating to the Constitution of Queensland were consolidated in 1867, the section was relocated to the Constitution Act 1867 before its final relocation to the Criminal Code in 1899. This section is not outdated, and our party and our government are not old fashioned on these views about lying or deceiving, which are that it is wrong and it should never be encouraged or allowed. One of the first rules that we teach our children is to always tell the truth, so why would it be that the Beattie and Bligh Labor governments allowed members of this parliament to have a different set of rules? What message does that send?

Mr Johnson: Especially a minister.

Mrs FRECKLINGTON: That is exactly right. I take the interjection: especially for ministers of this great House. What message does that send to the people of Queensland? When Peter Beattie changed the legislation in 2006 he was doing so to protect the members of his government who he knew had lied in this parliament. He argued that on the basis that we had to be consistent with the rest of Australia. I disagree with his argument. I want to work in a government that is respected by the people of our state and around the world and that is held in the highest regard for being of high moral character, rather than just following what others do and doing the least possible. I want to be part of the best and most honest parliament and one that is respected and noted amongst its peers. This Assembly should be a place of utmost integrity and, with an LNP government firmly in place, we are now righting those wrongs. The members of this Assembly and individuals appearing before committees should not be able to knowingly give false answers to questions. I fully support the amendment to the Criminal Code to reintroduce repealed section 57, to make it an offence to knowingly give false evidence to this parliament. I commend this bill to the House.