




Speech By
Steve Minnikin

MEMBER FOR CHATSWORTH

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ELECTORAL AND OTHER LEGISLATION (ACCOUNTABILITY, INTEGRITY AND OTHER MATTERS) AMENDMENT BILL

 **Mr MINNIKIN** (Chatsworth—LNP) (4.51 pm): The Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Bill 2019 is indeed a very important bill, and I am pleased to make my contribution to the debate. As eloquently stated by the shadow Attorney-General, we oppose Labor's bill apart from the local government changes, which are an improvement on the current integrity framework and stem from the CCC's Operation Belcarra report. The Palaszczuk Labor government will stop at nothing to try to rig the electoral system to maximise their own interests even if democracy is unaccounted for. So much for the committee system!

Yesterday I listened to the member for Miller try to lecture us during his contribution. It was hypocrisy at its best. Honourable members should remember that this is the genius who was caught up in the mangocube private email imbroglio. In relation to the very essence of integrity, and the long title of the bill, Mr MacSporran went on to state that Mr Bailey was incredibly lucky not to be facing criminal charges and urged MPs to avoid using private email accounts because they created the perception of corruption.

Moving amendments to this extent, 100 pages long and with little notice—292 amendments came through at about 10 past 10 the night before last—is simply wrong and is indeed a complete affront to good lawmaking. This is history repeating itself. In fact, this government has a long history of trashing our democracy. I was in the chamber in April 2016—and this has been noted by other members on this side of the chamber—when the LNP introduced the Electoral (Improving Representation) and Other Legislation Amendment Bill to increase the size of the Legislative Assembly from 89 to 93 seats. During the consideration in detail on that bill Labor moved an amendment to abandon OPV and reintroduce CPV. As we all know, that time frame is meshed in our minds: 18 minutes of notice and absolutely no consultation.

I note that the amendments also give the Electoral Commission of Queensland, the ECQ, the power to conduct electronic voting. If the March local government and state by-elections are anything to go by, Queensland's online vote count publication will be another embarrassing failure. I have proudly been involved in every local, state and federal election since late 1989. When I tuned in that night—it is quite ironic; I have the new member for Currumbin here—for obvious reasons it was unlike any other. It was also a spectacular failure when it came to the very hallmark of democracy. Simply put, people could not follow anything online. We were frantically making phone calls and texting each other to try to find out what was going on. The ECQ had better have it together in time for 31 October.

I turn now to the objectives of the bill. The bill encompasses various reforms including changes to electoral campaigning, funding and expenditure for state elections as well as new integrity measures to apply to state and local government. However, specifically the bill achieves its objectives by introducing caps on political donations and electoral expenditure by registered political parties and their associated entities, candidates and third parties. I note that there are new offences that relate to the display of unpermitted signage during an election period. There are also new offences that apply to a

minister who knowingly fails to disclose a conflict of interest with the intent to dishonestly gain a benefit for themselves or another person, or cause detriment to another person, and where a minister intentionally fails to update their statement of interest.

In relation to chapter 2, the political donations caps and the electoral expenditure, I note the bill imposes caps on donations that donors may make and defined recipients—political parties and their associated entities—may receive. The expenditure includes designing, producing, printing, broadcasting or publishing an advertisement or other election material, direct distribution costs for an advertisement, and carrying out opinion polls or research. Other amendments in chapter 2 relate to signage. As has been enunciated on this side of the chamber over the last day and a half, the bill imposes restrictions on signage in the lead-up to and on an election day.

In relation to the integrity offences, the Integrity Act 2009 is amended to create a criminal offence where a minister knowingly fails to disclose a conflict of interest with the intent to dishonestly gain a benefit for themselves. I note that the Parliament of Queensland Act 2001 is to be amended to create a new offence where a minister intentionally fails to comply with the obligations of members of parliament to register their interest with the Clerk of the Parliament with dishonest intent to obtain a benefit for themselves or another person or to cause detriment to another. For both offences a maximum penalty of two years imprisonment, or 200 penalty units, applies. A minister convicted of either offence and sentenced to more than one year imprisonment may lose their seat. Interestingly, these new offences fail to adopt the CCC's recommendations by requiring proof that the minister had a dishonest intent.

With respect to the integrity measures, the CCC were very critical of the integrity offences proposed by Labor because they do not meet the recommendations they made back in September of 2019 following the assessment of the former deputy premier and member for South Brisbane. The CCC does not support the bill's proposal to limit prosecutions for noncompliance with disclosure obligations to only matters for which a dishonest intention is able to be proved. The CCC recommends that the requirement for proof of dishonest intent be removed. In fact, in their submission, the CCC said the proposed new section 40A does not achieve the purpose of the CCC's recommendation 3 to create a criminal offence.

Furthermore, the CCC slammed Labor's laws because they do not go far enough to encourage transparency and reduce corruption risk. In fact, the chair of the CCC, Mr Alan MacSporran when interviewed said—

It duplicates them and provides a lesser penalty, so it lowers the bar rather than raises it in one sense.

The CCC submission also said that Labor's 'Trad' laws introduce lesser offences than what is already provided under existing—

Mr DEPUTY SPEAKER (Mr Stewart): Order. Pause the clock for a moment please. Member for Chatsworth, you will refer to the bill by its correct title.

Mr MINNIKIN: Yes, Mr Deputy Speaker. The CCC went on to state that the elements of the proposed offence overlap entirely with more serious offences already in existence under section 92A of the Criminal Code, Misconduct in relation to public office and section 408C, Fraud. Both of these offences involve acts or omissions done dishonestly with intent to gain a benefit or cause a detriment. The new offence as proposed would essentially require proof of the same elements but with a substantially lower penalty.

In relation to the local government provisions, the bill implements further reforms to improve transparency, integrity and consistency in local government decision-making and local government elections. This follows feedback on the Palaszczuk Labor government changes in 2018. Therefore, the government are trying to address problems of their own making.

We on this side have made it pretty clear that we will be opposing the bill but not those provisions as they pertain to the local government section. It has been talked about ad nauseam in relation to this trying to give the ALP an undue advantage when it comes to 31 October. I distinctly recall back in 2012 when members of the ALP absolutely just chose to simply lay down. The unions were simply nowhere to be seen on that March day in 2012 and we saw what then happened when it came to the rank and file, as the ALP describes its membership base. They simply were nowhere to be seen. They need these provisions. Unlike many union representatives who work on election campaigns, whose time and services are paid for, everyday Queenslanders who are members of the LNP willingly give up their time for free. We can never put a price on the human condition when it comes to overcoming the political odds through fierce determination. They turn up, they set up and they might get a bread roll, water or drink, but they do it because they are absolutely driven by their intent. They are not paid. Unlike those opposite, they will never succumb to those pressures.