



Speech by

**Jann Stuckey**

**MEMBER FOR CURRUMBIN**

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## **CRIMINAL CODE (TRUTH IN PARLIAMENT) AMENDMENT BILL**

**Mrs STUCKEY** (Currumbin—LNP) (8.48 pm): I am pleased to contribute to the debate on the Criminal Code (Truth in Parliament) Amendment Bill 2008 brought into this House on 27 August by the Leader of the Opposition and honourable member for Southern Downs. When I spoke in the debate on the motion in December 2005 and again to the Criminal Code Amendment Bill in May 2006, I expressed my deep discomfort with provisions contained in both these pieces of Labor government parliamentary business and, I want to add, so did many people in the Currumbin electorate. As I said on 9 December 2005—

It is a sad day in Queensland politics when parliament plans to abrogate the principle of the separation of powers as between the parliament and the judiciary. Members on this side of the House believe that the parliament should discontinue this action and leave a determination of what should happen with the proper judiciary, the DPP.

And that continues to be our stance today.

I also said—

Can the Premier and other members of the government not see what damage this will do to our system of government and to the institutions, such as courts, which are so important to a working democracy? Furthermore, it is a grave insult to the people of Queensland to treat a member of parliament, whose behaviour causes a CMC inquiry to say there is a case to be heard, in a supercilious and protected manner.

It was then, and still is today, improper to change legislation in order to cover up a mistake. It is important to note that members of parliament in this state have huge responsibilities to the people of Queensland in the way in which they conduct themselves in the discharge of their parliamentary responsibilities, as well as having unique protections under parliamentary privilege to bring before parliament matters that outside parliament would not be exposed to public gaze.

Parliamentary privilege should not be abused, nor should members in this parliament expect that they should receive even further supra legal protection against action by this parliament and, indeed, the courts if they knowingly provide false evidence to parliament. That this government has tacitly encouraged this behaviour brings the whole parliamentary system into disrepute in the eyes of the general public and, quite frankly, it erodes parliament's moral standing in supporting parliamentary privilege given that there is no restraint on its abuser.

This Criminal Code (Truth in Parliament) Amendment Bill 2008 aims to amend the Criminal Code and Parliament of Queensland Act to introduce the offence of giving false evidence to parliament and the committees of the parliament. I commend the LNP for bringing this legislation before the House as the provisions within this bill provide us with a realistic chance to restore the integrity, truth and honesty that was eroded by the Beattie-Bligh government.

In addition, this bill seeks to restore honesty and truthfulness—noble principles that were removed in one fell swoop when the former government legislated to deliberately mislead the Legislative Assembly and its committees. It was argued then that we do not need this legislation if members are prepared to tell the truth. What is the opposite of truth? It is considered unparliamentary to say the word in here. Yet other cheap, vulgar and personal language sprouts forth from arrogant members opposite in a steady stream of vitriol, revealing a lack of respect for this great institution.

Since the passing of that legislation, I have watched the level of debate sink to abominable levels, with government members blindly applauding ministers for legislation that they know they will just push through with their huge majority. The Criminal Code Amendment Bill of May 2006, introduced by Minister Lavarch, forced legislation upon us that was labelled by the media on more than one occasion—and I quote from the *Courier-Mail*—as the ‘Freedom to Lie Bill’. While looking through the *Hansard* record of this often heated debate, I came across the mutterings of Labor members who all used what is considered unparliamentary language. On 25 May 2006, the honourable member for Murrumba said—

Honourable members have heard members of the opposition telling them that this is a law to allow politicians to lie to parliament.

In the same debate on the same day, the member for Townsville said—

The member for Beaudesert is a liar.

It is very important to cover the history here, because this was indeed an emotional debate. There was more that day. The honourable member for Ferny Grove—and now minister said—

What about tactical lying?

I am quoting from *Hansard*. The minister went on to state—

I didn't know you were talking about lying.

But the comments that really take the cake are these grubby comments, and I quote from *Hansard* again—

Thought I heard the member speaking, but it was obviously two half-wits knocking together.

That was followed by—

There is no sanction in this parliament for people to tell lies or mislead committees.

That obviously came from the honourable member for Rockhampton. Sadly, the general public already had a comparatively low opinion of politicians prior to the Criminal Code Amendment Bill 2006 that sets one rule for politicians and another for ordinary citizens, because they had witnessed the debate in 2005. Doubtless, this opinion has sunk to even lower depths courtesy of this arrogant Labor Beattie-Bligh government.

Clause 3 establishes the offence of providing false evidence before the Legislative Assembly or a committee of the assembly. The offence, I might add, is a crime punishable by seven years imprisonment. A fundraising dinner held on 23 September 2006 at the Southport Sharks club for the late Feyne Weaver, a much-respected editor of the *Gold Coast Sun* newspaper, was attended by almost 200 people. The member for Mudgeeraba, Di Reilly, was there and feisty Councillor Dawn Crichlow took to the stage as MC for the auction of items donated to help Feyne's family through his illness. Dawn was ribbing Di and me about our healthy salaries in her efforts to increase bids—and, I might add, it worked. Both Di and I dipped into our pockets heavily that night. In her typical fashion, Dawn had a dig about the legislation that she labelled the ‘Freedom to Lie Bill’ in front of the crowd of 200 and asked us if we voted for it. I told the truth and I said no, I did not. But to my disbelief, the member for Mudgeeraba told everyone present she did not vote for the bill—which, of course, was a big fat untruth and furphy.

For the record, the member for Mudgeeraba did not vote for the motion moved by then Premier Beattie, who intervened in the normal process of justice on 9 December 2005 when he recalled parliament to protect the member for Sandgate from prosecution by using parliamentary privilege. But the member for Mudgeeraba, Ms Reilly, did vote for the appalling piece of legislation, the Criminal Code Amendment Bill, which was passed here in this parliament on 25 May 2006 with Labor's massive majority. Like all the other Gold Coast members—the members for Burleigh, Southport, Broadwater, Albert—the member for Mudgeeraba did not have the courage or conviction to speak to this bill and, surprise, surprise, neither do they tonight. In fact, only five Labor members chose to speak in support of that bill, compared to the 17 members from the Liberal and National parties who spoke against the bill. To their credit, all five Independents and the One Nation member also spoke against this legislation.

Dawn Crichlow and I were discussing this outright prevarication from the mouth of the member for Mudgeeraba at this year's Gold Coast show luncheon. So the member for Mudgeeraba can try to wriggle out of this one as much as she likes, but I have witnesses—several of them—who, like me, were disgusted to think that a member of parliament would tell a bold-faced untruth at a large public gathering.

But that is what the whole bill, as brought in by this Beattie-Bligh government, was all about: being able to tell porky pies and get away with it and not have to face the judiciary like the rest of Queensland. Granted, clause 3 does not apply to the member for Mudgeeraba's deceptive comments made outside the House, but it just goes to show how lacking in intestinal fortitude and honesty those opposite are.

This bill provides us all with an opportunity to restore honesty and truth, which the good people of Queensland expect and deserve from their elected representatives. I commend the bill.