



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

**WORKPLACE RELATIONS
AMENDMENT (CODIFYING
CONTEMPT OFFENCES) BILL 2003**

In Committee

SPEECH

Tuesday, 2 March 2004

BY AUTHORITY OF THE SENATE

SPEECH

Date Tuesday, 2 March 2004
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Questioner
Speaker Abetz, Sen Eric

Source Senate
Proof No
Responder
Question No.

Senator ABETZ (Tasmania—Special Minister of State) (6.30 pm)—I indicate that we have no opposition to amendments (5) to (11) being debated together.

Senator Murray—I am just moving amendment (5) at this stage.

Senator ABETZ—We may be minded to support some of the Democrat amendments in that batch of (5) to (11). But, if we are just dealing with (5), I simply remind the chamber that the commission can take unsworn evidence. If the commission were to take unsworn evidence and that unsworn evidence is designed to mislead, is false, is full of lies—you name it—then I think it is appropriate that there be a penalty or a sanction associated with that—

Senator Murray—Not 12 months imprisonment.

Senator ABETZ—and Senator Murray says he agrees, which is interesting. If we believe that there should be an offence in the event that any evidence given before the commission is false, I suppose all we are really arguing about is the penalty and not the principle. As I understand it, what Senator Murray is doing with his amendment is knocking out the principle as opposed to seeking to amend the penalty in relation to giving false unsworn evidence. Basically, to put it in a nutshell, we do not believe it is okay to lie to the Industrial Relations Commission, whether it be sworn or unsworn evidence. I think it sends a very bad message to the community that, if you are appearing before a body such as the industrial commission, it is okay to lie just because your evidence is unsworn. We do not think that is good enough. If the Australian Democrats believe that it is inappropriate to give false unsworn evidence before the commission then possibly we should get our heads together to see if we can talk about the issue of penalty, if that is the real concern of the Australian Democrats.