

Submission to the Committee of Inquiry regards the proposed Commonwealth Electoral Amendment (Democratic Plebiscites) Act 2007

I appreciate being offered the opportunity to submit my facts, arguments and opinions on the proposed Commonwealth Electoral Amendment (Democratic Plebiscites) Act 2007. This is not a confidential document.

I welcome the promulgation of this Act because this Act seeks to limit the authority of state government to make a law which “in any way prohibits a person or body from, or penalises or discriminates against a person or body for... taking part in or assisting with, or proposing to take part in or assist with, the conduct of an activity (such as a plebiscite)...” Currently in Queensland the Beattie government is doing exactly this. They have unilaterally decided to forcibly amalgamate certain councils and have done their best to pre-empt all legal means of review and amendment by passing a law which prohibits, penalizes and discriminates against those attempting to initiate a referendum regarding the amalgamation of Queensland local government authorities. In doing so the Beattie government has established that the only effective democratic check and balance left in Queensland is the election. Thus the Beattie government has effectively set itself up as a dictatorship until the next election, unless a higher power moves to re-establish the legal rights of due democratic process here in Queensland. This Act will ensure the right to conduct a referendum which is an important step in ensuring that all Australians are able to enjoy the protection of at least some of the democratic checks and balances we should have by right.

The proposed amendment regarding siting of nuclear facilities is not relevant to the purpose of the Commonwealth Electoral Amendment (Democratic Plebiscites) Act 2007. Control of development is already well legislated for at all levels of government.

The root of the problem that awakened the need for this Act may be the unique structure of Queensland’s state government with its unicameral legislature. This provides the framework whereby a strong and long-serving premier can establish himself as an autocrat. Recent and older history bears this out. I strongly suggest that Queensland needs to be equal to the other states and have a Senate that is a house of review elected in the same way as the Federal Senate. Perhaps this issue should be your next enquiry?

Thank you for considering my submission. And thank you for drafting this proposed legislation in such a timely manner. I hope that it will soon be made into law because there is work to be done in Queensland.

Very truly yours

JEFFREY A BEDFORD