

## ANGELO VASTA

HON Members will recall that I became Premier about half way through the Fitzgerald Enquiry process.

A little later, I was appointed Minister in charge of the Fitzgerald matters.

In all my dealings in this regard, I was determined to ensure that all matters coming to me were treated professionally and only after the best advice was taken beforehand. This was a highly charged atmosphere and I was always aware that my decisions would be subject to scrutiny by interested parties across the board and the years.

Fitzgerald was a watershed moment for the state. If managed correctly, it could herald a new era in public administration for Queensland. If managed incorrectly, then the whole process could become mired in legal argument and messy disputation. Any benefit would be lost in the resulting melee.

I appointed a very senior Special Prosecutor Doug Drummond to take matters relating to charges out of the hands of the Attorney General lest he be accused of bias. 238 people were charged and 148 were convicted although this was not intended to be the main aim of the Enquiry.

Lawyers were commissioned extensively by accused to appeal cases as often happens. However, the professionalism of the whole process remained intact and the Enquiry's purpose was achieved. A new page for Queensland was commenced.

One of the most serious matters brought to me concerned members of the judiciary. These were matters of the utmost sensitivity. I had at my side, Justice Ian Callinan, later to become Justice of the High Court of Australia.

I asked him many years later if our actions then were still valid today. He replied "Absolutely", He said he had reviewed all of the notes again recently and was confident that all actions were correctly carried out.

We decided that a Judicial Commission should be appointed by the Parliament to advise it. Hearings should be held in public. Judges should have the opportunity to speak.

Recommendations should be made to the Parliament on the matters.

This was done and on receipt of the recommendations, a debate was held and a motion to accept was put to the House. The motion was carried.

The Constitution of Australia gives the power over the dismissal of judges to the Parliament. This is what happened. Parliament chose to appoint a judicial Commission to advise it. That was a safe thing to do. The Chairman presiding was a former Chairman of the High Court of Australia. Parliament debated the matter and passed the motion.

The process was robust and fair.

There are always disputes and differences of opinion in the legal arena. This one is no different. One retired Justice opined that the Judicial Commission report should have been referred to a Select Committee of the Parliament for report before the definitive decision was made. Given the parliamentary context at the time, my view is that such a course would have been very unwise.

To review the process taken all those years ago now, would entail the appointment of another judicial commission of the same standing as Mr Gibbs. Perhaps new calls for submissions should be made. Maybe there is more evidence now that the years have passed. This, if proceeded, will trigger calls for review of other decisions. The Commissioner for Police's case is still debated by lawyers. If the resolution of the Parliament then, is overturned, the public of Queensland might gain the impression that today's Parliament is

running away from the Fitzgerald Reform agenda. I doubt the Queensland people would approve of that.

My view is that the work was well done. The matter should be left to rest.

Hon Mike Ahern

A handwritten signature in black ink, appearing to read "Mike Ahern". The signature is written in a cursive, flowing style.