

SUBMISSION TO THE LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

1. I am responding to the invitation from the committee to make a submission regarding the Honourable Angelo Vasta (Reversal of Removal) Bill 2017. I feel that Members of Parliament in 1989 should provide a submission but my submission will be quite brief.
2. I have done considerable reading of Hansard covering the relevant debates at that time. Although I well recall the issue, it is appropriate to refresh one's memory of the details.
3. My recollection is that I felt that proper processes were followed. I am not a lawyer but my understanding was and is that, as part of those processes, the Parliament sought and obtained legal advice prior to making its decision.
4. On the aspect of the grounds for removal of the judge, I believe that the facts of the case led to legal advice supporting a vote for removal. While I recall feeling a significant degree of caution in supporting such a major step as the removal of a judge, I well recall the thorough debate we had in the party room as well as in the Parliament itself and the address to the House by the judge. Ultimately, taking into account all the evidence and views surrounding me, I felt that voting in support of removal was the right decision.
5. In considering the 2017 Bill from Mr Katter, I think the committee should ascertain if there is new and compelling evidence that requires consideration. If there is, that consideration should obviously occur. Whether there is or is not new evidence, the committee should and would trawl over Hansard and come to its view as to the soundness of the Parliament's decision in 1989.
6. In summary, my view is that the 2017 Bill should be rejected unless there is new and compelling evidence which, after thorough examination by the committee is seen as warranting a reversal of the 1989 decision.

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15 June 2017

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