



Speech by

Hon. ANNA BLIGH

MEMBER FOR SOUTH BRISBANE

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MINISTERIAL STATEMENT

Forde Inquiry; Mr H. Heilpern

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Families, Youth and Community Care and Minister for Disability Services) (10 a.m.), by leave: In Parliament yesterday, the Opposition raised allegations in relation to the appointment of Mr Hans Heilpern as a commissioner to the Forde inquiry. These are serious allegations and I, as responsible Minister, have an obligation to ensure those allegations are examined. Since those matters have been raised, departmental officers have undertaken a search of the findings of the Wood royal commission. The allegations have been put to Mr Heilpern and a copy of the relevant material has been delivered to Commissioner Forde. I have had these allegations examined and no evidence has been found to substantiate them.

In response to the specific issues, let me say this: the Opposition alleged firstly that the Wood royal commission criticised Mr Heilpern for failing to appropriately investigate complaints of a departmental officer sexually assaulting children. The truth is that the report of the Wood commission did not name Mr Heilpern in any of its six volumes, notwithstanding three years of inquiry. Mr Heilpern was not called before the inquiry, made no submission to the inquiry and was not required to give evidence.

There is one reference in the six-volume report of the inquiry to Mr Heilpern's time as Director-General of the Department of Youth and Community Services, or YACS as it was known. This reference is in relation to a single anonymous complaint about an officer of his department in 1984. The report actually confirms at page 886 of volume 4 that Mr Heilpern, as director-general, obtained a report from the relevant district office and that the allegation was not substantiated at that time. There was no personal criticism of Mr Heilpern in the report. Further complaints were made four years later—two years after Mr Heilpern left the department.

The second allegation is that Mr Heilpern was publicly sacked from his position as director-general amid claims that the department was "rudderless" and that his leadership decisions were "bizarre". The truth is that Mr Heilpern resigned his position of director-general to accept an appointment as chair of the New South Wales Commercial Tribunal—a position which enjoys the status of a District Court judge. He was reappointed as deputy chair of this tribunal in 1992 by the then New South Wales Liberal Government.

Thirdly, the Opposition alleges that under Mr Heilpern's leadership the department encouraged the break-up of families, encouraged children to divorce their parents and refused an adoption on the grounds that parents were too fat. What is the source of these allegations? Honourable members will no doubt be surprised to hear that the source is none other than the Sydney Daily Telegraph! If the Opposition had bothered to check before making these scurrilous accusations it would have found that the whole truth was the subject of a ministerial statement in the New South Wales Parliament in December 1986.

In making these claims the Leader of the Opposition relied on a report in the Sydney Daily Telegraph which alleged that a pamphlet distributed by the department incited children to divorce their parents. The Minister assured the New South Wales Parliament that he had thoroughly investigated the claim, had even interviewed a set of parents and the daughter who originally made the claim, and found that the department had never printed any such pamphlet; nor was there any evidence of any such pamphlet ever existing or being distributed.

Further, the same Hansard record indicates that a New South Wales couple was, indeed, denied the right to adopt a child while Mr Heilpern was director-general on the grounds of their health and weight. The adoption application related to an intercountry adoption. The restriction on health and weight requirements on the adoptive parents was imposed by the authorities in South Korea and not by the Minister, Mr Heilpern, or the department.

The Leader of the Opposition, when he sets out to impugn the reputation of a commissioner of inquiry, may wish to place his faith in the wild assertions of sensationalist southern tabloids. I prefer to rely on the Hansard records of the New South Wales Parliament.

Further, the member for Surfers Paradise related claims that the department had been "rudderless". The origin of this claim—Ms Virginia Chadwick, the Liberal shadow Minister. The source of the material—not the Wood royal commission report but, again, the Sydney Daily Telegraph. The source was not Commissioner Wood. In fact, there was no reputable source.

Fourthly, the Opposition alleges that Mr Heilpern is a Labor Party hack. This is without foundation. The truth is that Mr Heilpern has been appointed and reappointed to a number of senior positions under Governments of all political persuasions. But I would not expect the Leader of the Opposition to take my word on this. I refer him instead to the media release of a former New South Wales Liberal Minister issued in 1991 upon the secondment of Mr Heilpern to the Commonwealth Government's implementation of the Aboriginal deaths in custody report. The media release states that this Minister was "delighted" that Mr Heilpern had been chosen by the Commonwealth to work on this report. I quote from his media release—

"Mr Heilpern is highly regarded in the social welfare area."

And further—

"The implementation of these changes will provide significant challenges which transcend politics and will require the skills of an experienced negotiator such as Mr Heilpern."

Which so-called Labor hack do those opposite think issued this glowing press release about Mr Heilpern? It was none other than the current Liberal Leader of the New South Wales Opposition, Mr Peter Collins, QC. I table the press release for the information of honourable members.

My concern that this inquiry not only be independent, but be seen to be independent, is well established. As I outlined yesterday, I took great care to check whether any potential appointee to the commission had any real or perceived conflict of interest. It is a matter of public record that Mr Heilpern undertook a short consultancy for the Department of Family Services in 1993. The consultancy assisted the department in the preparation of a mid-year Budget review submission relating to the physical infrastructure of the juvenile justice system. I sought Crown law advice on this matter and was advised that there was "no real possibility of a case of apprehended bias being made out against Mr Heilpern."

This Government is the first Government in the history of Queensland to have the courage to establish a properly constituted and thorough inquiry into the issues of abuse and neglect of children in all our institutions. The appointments of Leneen Forde and her assistant commissioners were made with regard to the skills and attributes which would contribute to a thorough investigation of all of the issues surrounding the operation of our institutions for children.

I have been concerned for some time by disturbing reports which have reached my office about attempts to undermine the Forde inquiry. As honourable members may be aware, a demonstration was held outside the Children's Commission yesterday to criticise the Forde inquiry. I have received a statutory declaration which asserts that a senior officer of the Children's Commission, Mr Graham Weeks, requested clients of the Children's Commission to attend this demonstration. Mr Weeks is a former police officer and a previous staff member of former Police Minister Russell Cooper. Any involvement of this officer in the organisation of a public demonstration against the Forde inquiry is a deeply disturbing matter.

I have this morning forwarded this statutory declaration to the Children's Commissioner with a request that he take urgent action to establish the veracity or otherwise of this serious allegation. Quite frankly, I am very surprised by these assertions, given the support of the Children's Commissioner himself for the Forde inquiry.

Yesterday, the Leader of the Opposition asserted in interjection that I had "wiped out" the Children's Commissioner in the establishment of the inquiry. Again, some facts are necessary. After announcing an intention to conduct this inquiry, I invited the Children's Commissioner to make a submission regarding its formation. Mr Alford forwarded a submission to me on 23 July on a number of issues, including the appropriate role of his commission. He stated—

"The Children's Commissioner could face an accusation of bias if appointed to conduct the inquiry because initial allegations were lodged with the Commission."

I table Mr Alford's submission. I had, up until this point, been considering recommending Mr Alford for appointment as deputy commissioner to the inquiry. Given Mr Alford's concerns regarding bias, I sought Crown law advice, which states—

"I am of the view that, if the Children's Commissioner was appointed as a Deputy to the Commission, there exists a strong possibility that a case of apprehended bias may be raised by a potential party appearing before the inquiry."

Further—

"It would be possible for the Children's Commissioner to render assistance to the inquiry if the Commissioners of the inquiry form the view that this is appropriate to assist their investigations."

It is now a matter for the commissioners. I table the Crown law advice to that effect.

I have been rigorous in my determination to conduct an inquiry which is beyond reproach. I have had the allegations made by the Opposition yesterday investigated and have yet to find any evidence of any substance to support them. Public confidence in this inquiry is more important than any short-term political point scoring that the Opposition may wish to achieve. I have treated the allegations of the Opposition with due care and diligence.

I call on the Leader of the Opposition to cease the political vendetta and either produce any substantial evidence or abandon his vicious attack on the inquiry headed by former Governor Leneen Forde. It is a serious matter to call into question the integrity of a senior officer in a commission of inquiry. Frankly, the decision to do so should rely on sources more reputable than the unfounded claims of the Sydney Daily Telegraph. I urge all honourable members to support the inquiry in its efforts to make life better for the children of Queensland.
