



Speech by

**BILL FELDMAN**

**MEMBER FOR CABOOLTURE**

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Hansard 25 August 1998

**MEMBERS FOR KEDRON, BUNDAMBA, IPSWICH, CHATSWORTH AND MURRUMBA**

**Mr FELDMAN** (Caboolture—ONP) (Leader of the One Nation Party) (6 p.m.): I move—

"That the Honourable Members for Kedron, Bundamba, Ipswich, Chatsworth and Murrumba be collectively charged with admonition, contempt of the House, and have committed criminal offences and "official misconduct" on or before 5 March 1990, and they have collectively fled from justice, without any conviction or judgment recorded against them, and they be expelled from Parliament forthwith."

In support of this motion I point out that I believe, and One Nation believes, that these Ministers have breached the code of conduct of the Legislative Assembly. They have had every opportunity to express regret to the House during the debate on the motion of confidence in the Government of 30 July 1998 when the allegations were raised by One Nation members. The five Ministers' standards of integrity and trust are not befitting of their continuing electoral representation in this House.

The honourable members—Messrs Mackenroth, Gibbs, Hamill, Braddy and Wells—have committed criminal offences whilst exercising their duties as—

**Mr MACKENROTH:** I rise to a point of order. That is untrue and I ask for it be withdrawn.

**Mr SPEAKER:** Order! The member will withdraw that statement.

**Mr FELDMAN:** I withdraw that statement.

**Mr WELLS:** Mr Speaker, the remark about me was untrue and offensive and I ask that it be withdrawn.

**Mr SPEAKER:** Order! The member will withdraw that statement.

**Mr FELDMAN:** Okay, furthermore—

**Mr SPEAKER:** Order! Did the honourable member for Caboolture withdraw?

**Mr FELDMAN:** I did withdraw that, Mr Speaker. It was withdrawn. Furthermore, the five of the flawed 18 Goss Ministers misled the Governor, His Excellency, the Honourable Sir Walter Campbell, AC, QC, during the 46th Parliament of Queensland.

**Mr MACKENROTH:** I rise to a point of order. That is untrue and I ask that it be withdrawn.

**Mr SPEAKER:** Order! The member asks for that to be withdrawn.

**Mr FELDMAN:** It is true.

**Mr SPEAKER:** Order! The member asked—

**Mr MACKENROTH:** It is untrue and in accordance with the Standing Orders, I ask for it to be withdrawn.

**Mr SPEAKER:** Order! The member requests that that statement be withdrawn.

**Mr MACKENROTH:** I find that statement offensive and in accordance with the Standing Orders, I ask that it be withdrawn.

**Mr SPEAKER:** Order! I have asked the honourable member to withdraw that statement.

**Mr FELDMAN:** It is withdrawn.

**A Government member:** Well, say it.

**Mr FELDMAN:** It is withdrawn. My point is that, of those five honourable members, Hamill, Braddy and Wells have achieved qualifications at universities, and the member for Ipswich, the Honourable Mr Hamill, holds a masters degree from as far away as Oxford University in England. I extend my point to say that none of these Ministers can plead ignorance to any of these matters. None of these Ministers——

**Mr MACKENROTH:** To say that I plead ignorance, I find offensive. I ask for it to be withdrawn. I do not have a university degree, either.

**Mr SPEAKER:** Order! The member has asked for that statement to be withdrawn.

**Mr FELDMAN:** I will withdraw that statement. I am speaking about the shredding of the Heiner documents as outlined in the Cabinet papers tabled in Parliament on 30 July 1998. Alongside them, the occupational qualification of the Goss Cabinet consisted of five qualified lawyers, including Premier Goss, who signed the Cabinet minutes for those three meetings. The very core of this debate today is about the conduct of those five Ministers. Our claims have significant bearing on the expected conduct of every member of the Legislative Assembly by placing and expecting the fundamental electoral requirement that, if elected as a member, that person will uphold the Westminster traditions of integrity and trust in their conduct and in the exercising of their Crown duties. That trust was bestowed upon those five. Today we must adjudicate on the five's behaviour and their conduct in a manner that is befitting of this place, without doing any more damage to the Legislative Assembly's public image.

**Mr MACKENROTH:** I rise to a point of order. I find that offensive. I ask for it to be withdrawn.

**Mr SPEAKER:** Order! The member asks for that statement to be withdrawn.

**Mr FELDMAN:** Which statement was that? I will withdraw that. One Nation members will endeavour to protect the reputation of this House at all costs. We seek the sustinment of public confidence entrusted in parliamentarians by the electors of Queensland. Under the normal rules for a democracy, a person charged with an offence as in this motion is not permitted to vote for oneself. The Standing Orders for this debate have to be changed. It is not right to expect——

**Mr MACKENROTH:** I rise to a point of order. That is untrue. We have not been charged with an offence. I ask for it to be withdrawn.

**Mr SPEAKER:** Order! The member asks for that statement to be withdrawn.

**Mr FELDMAN:** I will withdraw that statement. Their conduct is a reflection on all parliamentarians. That is a very important factor in the context of this debate. The five members must understand that they cannot go on blaming somebody else for what occurred during the Cabinet debate. The five members must understand that they cannot go on blaming somebody else for their behaviour and for their official misconduct during the course of their Crown duties.

**Mr MACKENROTH:** I rise to a point of order. Mr Speaker, I ask you to ask the member to stop continually repeating that accusation, which is untrue.

**Mr SPEAKER:** Order! The member has asked for that statement to be withdrawn.

**Mr FELDMAN:** I will withdraw that statement.

For nine years this Heiner issue has dragged on and on and on. It is time that it came to a stop. The time has come to deal with this matter on its merits. The Premier cannot expect members of Parliament who have been elected with 67% of the primary vote across Queensland to listen to the member for Brisbane Central's continuous insistence that those members have done nothing wrong. I will put into perspective what the Premier actually told the House on 30 July 1998. I emphasise that the Premier is the Premier on the basis of public support of not less than 4 out of 10 electors. If the electors had known on 13 June what was going on, they may not have voted the way that they did. In short, there would not have been a Beattie Government, and probably the 13 former Ministers of the Crown, other officers and these five might be facing the courts. The Beattie Government attained office under false pretences. However, let us not lose sight of what our Premier said in support of the five Ministers. These persons, by their own presence in Cabinet, and, if not, legally still collectively responsible, were part of the collective Cabinet decision No. 101 on 12 February 1990, Cabinet Decision No. 118 on 19 February 1990 and Cabinet Decision No. 162 on 5 March 1990 to order that——

"... the material gathered by Mr. N. J. Heiner during his investigation into certain matters at the John Oxley Youth Centre, be handed to the State Archivist for destruction under the terms of Section 65 of the Libraries and Archives Act 1988."

The Cabinet minutes are very clear in what they say and in what they mean. Firstly, before the Heiner inquiry was shut down—and we all must remember the reason why the inquiry was shut down. On 30 July the Premier said——

"Let us go back. On 5 March 1990, Cabinet was informed that representations had been received from a solicitor representing certain staff at the centre."

I do not want any member of this House to get this statement of facts out of context as to what really happened. Firstly, Cabinet had been informed on 12 February 1990 that there was future legal action that could result from Heiner's part in the John Oxley Youth Centre investigation. Secondly, it is obvious that Cabinet already knew about the Government being put on notice by Mr Coyne's solicitors; otherwise Cabinet would not have extended the then current Government policy of legal indemnification for and to Mr Heiner. There is no doubt at all—none at all. The policy according to Cabinet submission No. 100—

"... provides for Crown employees to be indemnified from costs associated with legal claims arising out of the due performance of their duties."

I remind the Premier that he stated to this House that Cabinet was informed of the legal claims on 5 March 1990. According to the Cabinet documents, the real facts are that the date is 12 February 1990. The Premier knew the truth, but elected to lie as the Cabinet was aware that the Crown was in receipt of legal notice 21 days before the Premier informed the House.

**Mr BEATTIE:** I rise to a point of order. That comment is untrue. It is offensive. It is unparliamentary. I seek it to be withdrawn.

**Mr SPEAKER:** Order! The Premier asks that that statement be withdrawn.

**Mr FELDMAN:** I will withdraw that statement.

Mr Speaker, I am sure that you agree that stability in Government has to be earned on reputation and credibility. Does the Premier expect to think that Queenslanders will believe his plausible statements, rhetoric and theories. What he said is a conspiracy theory going backwards; yes, backwards. One Nation members want Queensland to go forward, not backwards. Queenslanders demand honesty; we will see they get it.

It was nine years ago when Daniel Alderton cried silently for help. It was years ago when the Government child-care system knew Daniel was an asthmatic. Could that have been the cause of his death? Why did the Government pay for his funeral? It was nine years ago when a boy of the impressionable age of 10 years was handcuffed overnight to a grate near the swimming pool at the John Oxley Youth Centre.

**Ms BLIGH:** I rise to a point of order. That is untrue. I ask for it to be withdrawn. Daniel Alderton was not the child who was handcuffed to the fence. The continued use of his name in this House is, I believe, absolutely unwarranted.

**Mr SPEAKER:** Order! There is no point of order.

**Mr FELDMAN:** I withdraw that statement.

Was the boy's name Daniel Alderton? Staff members who handcuffed the boy there say it was. Other staff members who did not handcuff him say that it was not Daniel. Let me ask the five members tonight—

Time expired.

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