



Speech by

PAUL LUCAS, MLA

MEMBER FOR LYTTON

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COMMISSIONS OF INQUIRY (FORDE INQUIRY—EVIDENCE) REGULATION 1998

Disallowance of Statutory Instrument

Mr LUCAS (Lytton—ALP) (3 p.m.): I note the considered views of the member for Gladstone in relation to this matter. I believe that, at the conclusion of her contribution, she crystallised very precisely the issue. The question is not whether Henry VIII clauses are desirable or whether in all instances we should apply them; rather, in the particular circumstances of this situation, is it called for. I think the answer is a resounding yes.

I am surprised and bemused that the member who moved this disallowance motion before the House, under the pretext of the form of a Henry VIII clause, was none other than the former discredited Attorney-General, the honourable Denver Beanland MLA. Never in my short time in this Parliament have I seen less regard for form than the appointment of the disgraced Connolly/Ryan inquiry. In the short time that I have been in this House, if ever there has been one incident that rang through the halls of the place as an utter disgrace and a contempt for the Parliament it was the setting up of the Connolly/Ryan inquiry.

I am pleased to say that the current Attorney-General was at the vanguard of the fight to expose the shabby deal that really was Connolly/Ryan. When one looks at the very great job that Commissioner Forde is attempting to do for children who have suffered abuse at the hands of this State over past years, it is sad that \$14m of taxpayers' money was wasted on the Connolly/Ryan inquiry—the most shocking abuse of process that this House has seen in recent years. So shame on the former Attorney-General for attempting to put one over this House with this very ill-conceived and very dangerous disallowance motion before us today. It goes very much to discredit the Forde inquiry.

Earlier, in having a shot at the Minister for Families, Youth and Community Care, the member for Cunningham said that the Forde inquiry was something that the "rising star" was doing. Too right the rising star is doing it! I am pleased and proud to say that in this House we have rising stars such as the Minister for Families, Youth and Community Care, because that rising—

Ms Bligh: There are not many on that side of the House.

Mr LUCAS: There are not many on the opposite side of the House. At the last election, they had a few supernovas. However, at the moment that are all big, orange giants who make no contribution other than to take up space. They are enveloping themselves and turning into black holes.

The fact is that this Minister has bothered to do something about the problem. For a long time, we have had a stream of complaints from people about what has happened to them in the past in institutions. When this Minister was in Opposition she came down to my electorate and spoke to people about it. She was serious about doing something about it. The Forde inquiry is the first attempt that we have seen from a Government in recent years to actually address the problem. We should be supporting the Forde inquiry lock, stock and barrel instead of taking cheap political points that do nothing but undermine the integrity of that inquiry. No-one has called into question the great public esteem in which Commissioner Forde is held. This motion does nothing to assist her and her inquiry, or the esteem in which that inquiry is held.

In the last Parliament I had the experience of serving on the Scrutiny of Legislation Committee and dealt a little bit with Henry VIII clauses. Let no-one in this House be under the misapprehension:

Henry VIII clauses are not preferred in legislation. However, they are not excluded from legislation. There is no reason why, in appropriate cases, there cannot be Henry VIII clauses.

I could not think of a Henry VIII clause being more warranted than in this case. The fact is that the Commissions of Inquiry legislation is general legislation of application to all commissions of inquiry. The juvenile justice legislation and the family services legislation are specific and have very important secrecy provisions. We should not be amending that legislation each time we want to hold an inquiry. It is dangerous. We do not know what can of worms it will open. A far better way of doing that is by regulation where we can be specific with a case and we can easily remove that exemption at the time that the inquiry is closed.

If there has been a defect in the Children's Commissioner legislation that I have noticed it is that the Children's Commissioner does not have access to confidential material in the possession of the department. It is very, very difficult to assess what has happened unless one has the opportunity to have a look at that confidential information. The Forde inquiry will stop dead in its tracks and be a total waste of time unless it has access to that Family Services material.

That is what this regulation is about. If the shadow Attorney-General thinks that he can come into this place and grandstand at the expense of the expedition of that inquiry, he is very, very sadly——

Mr Springborg interjected.

Mr LUCAS: Not the shadow Attorney-General, the shadow Family Services Minister. I apologise to the shadow Attorney-General, but he is in on it, that is for sure. He will be voting for it. I challenge him to vote on this side of the House when the disallowance motion is put.

The fact is that we are here to answer a simple question: do we support the Forde inquiry process or do we not? It is a total furphy to suggest, as does the shadow Minister for Families, that this regulation results in some diminution of the role of Parliament. The fact that we are debating this motion indicates clearly that the regulation is totally within the control of Parliament. If Parliament does not like the regulation, Parliament can disallow it. So let us have none of those red herrings, let us not be fooled by that furphy; the fact is that today the Parliament has the scrutiny of the regulation and if members do not like the exemption of the secrecy provisions, they should have the guts to say that is why they want to vote for the disallowance. Members should not hide behind any sham or farce or form or pretence of Henry VIII clauses.

A number of constituents have spoken to me of their concerns about abuse in institutions. I am very glad that the Forde inquiry has been established because they——

Ms Bligh: Did they talk to you about Henry VIII clauses?

Mr LUCAS: As the Minister points out, they did not come into my office and say, "We have a bit of a concern about Henry VIII clauses." These people were wronged in the late 1950s and early 1960s. There was an inquiry into the shocking things that happened to them, but what happened? Nothing! Finally, here is their chance to get justice. They did not come to me with concerns about Henry VIII clauses; they were worried sick that they did not have an opportunity to express their concerns in the right forum. Finally, this Minister has given us the Forde inquiry in which they have an opportunity to state fully their cases and have them investigated.

Far from voting for this disallowance motion, this Parliament ought to be congratulating the Minister on her foresight and fortitude in addressing the issue finally. This inquiry is about addressing the issue and looking into these matters so that, hopefully, they will not be raised in relation to institutions ever again. I commend the Minister and I totally oppose the disallowance motion.

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