



## Speech by

# SHAUN NELSON

## MEMBER FOR TABLELANDS

---

Hansard 30 July 1998

### MOTION OF CONFIDENCE

**Mr NELSON** (Tablelands—ONP) (12.40 p.m.): Isn't it good to see that this House is upholding that tradition already! I am ashamed to be here because of the actions of those on my left.

Mr Speaker, I second the amendment to the motion of confidence put forward by the member for Caboolture and I commend him for his tireless work on behalf of the people of Caboolture and all Queenslanders. The Police Service's loss is our gain. A motion of confidence is something that cannot be taken lightly or for granted. One Nation is very serious about its charter of accountability.

**Mr SPEAKER:** Order! The honourable member needs to second the amendment.

**Mr NELSON:** I did.

Let me assure this Chamber, the business community, the media and all Queenslanders that One Nation has considered this matter of confidence very, very carefully, taking into account all relevant factors.

One Nation will move an amendment to the motion of confidence for many reasons. The people of Queensland demand a great many things from their members of Parliament. Honesty, integrity and the ability to admit to error and make amends are just a few. Our confidence in the Government would depend, of course, on its ability to provide us with the information that justice demands. I ask honourable members: why hide if there is nothing to hide from? Should the elected Government of this great State shrink from questions that have been asked for the last nine years, or should it provide these documents as, in the name of fairness, all Queenslanders would demand? Should we finally clear the air? How many people from different walks of life are affected by this shameful state of affairs—public servants, prison officers, unionists, the members of our own Police service? Shreddergate reaches into every facet of Queensland public life. It is often said, "Evil can only exist when good people do nothing."

I say: let all the good members of this Assembly do something to address this festering sore that continues to besmirch the good name of this great State. We cannot engage in the luxury of cooling off or take the tranquillising drugs of gradualism. A Government must be transparent. The people of Queensland have just cause to believe that successive Governments have been far from transparent. The Heiner documents we ask for are an obvious example of Government non-compliance. The Premier has stated in part—

"The principle of Cabinet confidentiality is a cornerstone of good government in the Westminster tradition. No good cause has been made for compromising that principle."

I ask all honourable members: is it not good enough that members of the public demand the right to information? Is it not traditional in Westminster to afford the public rights to information whenever possible? It is not also traditional in Westminster for a Minister to stand down from his post when that Minister is under suspicion? I ask again: if there is nothing to hide from, then why hide?

If One Nation stands for anything, it stands for equality before the law and respect for the laws of this State and everything that flows from those principles. One Nation does not have confidence in the Beattie Government to govern this State by our standards and by the standards set by the Premier himself. The Premier has presented to this House a Government that carries within its ranks a terminal cancer of systemic corruption. It dates back to 5 March 1990 when the Goss Government embarked on

one of the most extraordinary and unprecedented acts in Australian political history when it decided to knowingly shred public documents. It did this to prevent their use in known impending court proceedings. It also did this to prevent the exposure of suspected child abuse that existed at the John Oxley Youth Detention Centre at the time.

I personally find this abhorrent. I cannot reconcile this stance with any decent or well-meaning Government directive. Surely it is hard to imagine a more serious breach of public trust. In Shreddergate can be found all the ingredients upon which a democratic society is based. One Nation has, over the last few months, been a bastion of democracy, standing up against continuous attack by a hateful and violent fanatical Left intent on the destruction of our collective freedom. Here again One Nation must defend the democratic rights that we all hold to be fundamental to good government: equality before the law, respect for the law, and the question of whether Executive Government is beyond the reach of the law. All these principles are brought into question by Shreddergate.

Another principle corroded in Shreddergate is the proper and impartial protection of public records—something experienced first-hand by One Nation members taking up their offices for the first time. The complaint about the shredding has been with the CJC since late 1990. The CJC is the so-called impartial super watchdog organisation and, according to the records, it has never—not once—spoken to the State Archivist. I ask: why not when she is a key witness? The CJC, the Government's champion of justice in this great State, has so misrepresented and twisted the role of the State Archivist for its own purposes to reach a finding of no official misconduct in the shredding that the impartial and respected Australian Society of Archivists has been forced to come out publicly and totally reject the CJC's position. The CJC's misrepresentation of the Archivist's role has enraged the world community of archivists and, may I add, with good cause. It is madness to suggest that a State Archivist anywhere, let alone in the great State of Queensland, can lawfully approve the destruction of public records, especially when she knows that they are required for court, that they are the subject of an access statute, or that they contain evidence of suspected child abuse. It puts her above the courts and it makes her a danger to the due administration of justice.

This great State is now a pariah State in how it manages its public records. That is totally unacceptable. On hard evidence, we have a rogue Archivist on our hands and no-one in authority, until now, seems to give a damn. We do! This is something that One Nation cannot and will not tolerate. The Australian Society of Archivists does not have a political axe to grind. It is not anyone's tool in this affair. I must say that it is no-one's fool, either. It seeks no political advantage, it is entirely independent and it speaks with absolute authority in its field. It seeks merely to uphold its profession's important role in a democratic society. We in this Chamber can do no less.

According to the evidence, had the Archivist done her job properly and impartially, she could have broken this chain of systemic corruption as early as May 1990. But she did not. She remained silent and became party to the cover-up. She is still allowing her statutory role to be critically misrepresented by the CJC without one murmur of public protest, whilst on the Internet she allows her State Archives work colleagues to condemn the CJC's position on their archivists' mail service line. If it were not so serious we would consider it a sick joke. One Nation cannot and will not tolerate an ongoing situation such as that set out by Senator Woodley. The fresh evidence that the Archivist also allowed evidence of suspected child abuse to be shredded only heightens our concerns.

The Beattie Government cannot hide behind any claim that the CJC has investigated the shredding thoroughly and impartially. To do so would amount to an attack on the intelligence of the honourable members of this Assembly. The Heiner inquiry was no spat between public servants. The CJC's handling of this affair is quite scandalous. It now admits that it has never accessed all the available evidence. However, it still has the audacity and the gall to pretend that its findings have substance. The performance of senior CJC officers has been a travesty of justice. The CJC's independence and impartiality are in the balance. One Nation wants the CJC to account for its performance in an open forum. And if abuse of office has occurred, then let the full rigour and rage of the law fall upon the perpetrators where it is needed.

I ask again: if there is nothing to hide from, then why hide? One Nation cannot and will not accept the continuing existence of the CJC if it cannot be guaranteed that it will act with honesty and impartiality in all cases no matter what the political consequences may be. As far as One Nation is concerned, Shreddergate plainly puts the CJC's future in the dock.

Let me also deal very quickly with the office of Crown law so that this Parliament understands the gravity of the shredding and its implications. From the evidence it is quite clear that the office of Crown law assisted in the obstruction of justice in Shreddergate. It was prepared to sit back and allow records to be deliberately destroyed, knowing that it was evidence for imminent court proceedings and knowing that it was the subject of an access statute; it was prepared to bow to the unlawful desires of the Cabinet to destroy the material. The citizens of this great State are entitled to know that advice from Crown law is correct and that Cabinet will follow that advice once it knows what the law requires. Its

advice must always recognise the rights of all citizens, not only the desires of Executive Government and its agencies.

Other One Nation members will highlight the other serious questions associated with this scandal, touching the police, the Queensland Audit Office, the office of the Information Commissioner and others. I call on the Premier, as a fellow Tablelander—if he is serious about being a man of integrity—to finally clear from this Parliament and our public administration the stench of this festering sore that is Shreddergate.

How the office of the Director of Public Prosecutions could have suggested, after reading the Morris/Howard report, that it was not in the public interest to pursue this matter is beyond me. I am in shock. If the Premier does nothing and continues to avoid facing up to this systemic corruption inherited from the Goss regime while allowing the fatal five to stay at his Cabinet table, we will be entitled to ask what further abuses he is planning in the secrecy of the Cabinet room to save his old Labor mates, in particular the fatal five, from facing up to the legal and political consequences of their decision and the knock-on effects associated with the unlawful shredding, and the Premier will have failed his first real test of leadership. I can assure him that history will not forget.

One Nation will pursue this issue. We will pursue it down every burrow and at every opportunity in this Parliament, the Federal Parliament and in forums throughout the State and the rest of Australia. We will not tolerate this type of systemic corruption leeching on the body politic of this State just to save Labor Party hacks and to perpetuate the infectious poison of corruption which lingers over the head of this great State. One Nation implores the honourable members of this House to support the further amendment to the motion of confidence. We cannot and will not ignore the seriousness of Shreddergate and its continuing impact on the stable and clean government of this great State. Unless it is addressed, this Parliament will be sending a message to the electorate, the business community and the nation at large that Governments in Queensland, whenever they come into possession of embarrassing or hot public records that they know are required for impending court proceedings, will secretly shred them.

We will be sending a message that public records containing evidence of suspected abuse against children in lawful custody will also be secretly shredded. We will be sending a message that even when our Governments know that certain public records are the subject of a claim of access by law, they will be secretly shredded. We will be sending a message that any citizen or business contemplating legal action against the State of Queensland may have his or her course of justice obstructed by the Crown with impunity. We will be sending a message that our Governments are prepared to use taxpayers' money to buy the silence of public servants to cover up corrupt practices. We will be sending a message that law enforcement agencies in Queensland operate by double standards— one for Executive Government, allowing it to get off the hook, and another for the rest of us.

We will be sending a message that trust in public office means absolutely nothing in this great State. Even in post-Fitzgerald Queensland, justice cannot be seen to be served. We will be sending a message that public records can be shredded on the basis of deliberately false and misleading information. And even when the deception is later discovered, our State Archivist is only too happy to cover up the deception perpetrated against herself and to cover up the offence. We will be sending a message that this Parliament does not care about integrity in public office, that this Parliament does not care about truth and justice. We will be sending a message that the Cabinet room in Queensland has turned into a place where plans to obstruct justice can be hatched and ordered at the expense of individuals' rights. We will be sending a message that the office of Crown law, pivotal in maintaining public faith in the system of justice, can and will generate complaint advice for Executive Government to suit unlawful political objectives.

I ask the member for Nicklin to think long and hard about what I have said in this Assembly today. I ask him to think about every aspect of Shreddergate. As a former policeman, councillor and solicitor, this should—no, this must—concern him. The facts are here to back up my claims. The member for Nicklin is now as much on notice of this unresolved case of systemic corruption as is anyone else. And should he attempt to avoid it, bury it, dodge it or justify it, he may rest assured that it will inevitably engulf him, just as it has engulfed the Beattie Government. I call on the member for Nicklin to defend the youth of this State from abuse, to defend the good people of Nicklin and, ultimately, to defend the citizens of this great State of Queensland.

---