



Speech by

**Mr R. QUINN**

**MEMBER FOR MERRIMAC**

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Hansard 2 March 1999

**MALENY STATE HIGH SCHOOL, LAND ACQUISITION**

**Mr QUINN** (Merrimac—LP) (Deputy Leader of the Liberal Party) (11.55 a.m.): On 18 September last year, the Minister for Education was asked a so-called question without notice by the so-called Independent member for Nicklin which sought to imply that the former coalition Government had acted improperly in relation to the acquisition of land adjoining the Maleny State High School. This was a wilful attempt to smear the coalition. It was a scurrilous and totally baseless slur that was quite explicit in the member for Nicklin's subsequent comments to the media in which he referred to "lifting the lid on something that smells and smells something shocking".

The intended smear was also evident in the Minister's emphasis of the fact that "negotiations took place before this Government took office and during the caretaker period". Their rank suggestion of impropriety was totally repudiated by the Auditor-General, who investigated the acquisition and found that "the process was conducted in an objective and prudent manner and was soundly based". He concluded also that the timing of negotiations was not related in any way to last year's election.

Meanwhile, we have done a little investigating of our own and lifted the lid on a few offensive smells coming from the other side of the fence. For a start, we have uncovered an advance copy of this so-called question without notice, which I table for the benefit of the House. Education Queensland confirmed that this draft was prepared by the Minister's staff at his direction—a so-called question without notice. In my view, the fact that this question and answer was prepared in advance of Parliament, with the Minister's full knowledge, gives it the status of a prepared statement. In other words, the Minister can hardly claim whatever latitude might otherwise attach to an off-the-cuff response to a genuine question without notice from a true Independent. He must also accept some responsibility for the question itself, which was highly misleading and factually inaccurate.

I note that neither the Minister nor the member for Nicklin have yet apologised to the House for falsely claiming that the agreement was reached with the landowner "on 29 June, the very day the coalition lost Government", despite my drawing this to their attention last October. The Government actually changed hands three days earlier, on 26 June, when the member for Brisbane Central was sworn in as Premier. More than anyone else, the member for Nicklin was responsible for that change. He was the central player—the king-maker. At the time, he claimed that that decision was the hardest of his life, so it defies belief that he could have forgotten such a significant date within a few short months. It is even harder to believe that both the Minister and he could have confused such a significant date in what was essentially a prepared statement. Furthermore, the very nature of their contrived question and answer was clearly designed to mislead the House by falsely implying that—

the former coalition Government had acted improperly during the caretaker period;  
the acquisition was other than a routine transaction negotiated at administrative level;  
there was legitimate cause for concern, when all the evidence indicated otherwise; and  
the agreement was a *fait accompli* which was binding on the incoming Labor Government.

This is not the first time the Minister for Education has misled the House. In its recent report on that subject in November, the Members' Ethics and Parliamentary Privileges Committee reiterated that Ministers owe the highest duty of disclosure to the House and should always ensure that information provided is accurate. The committee also reaffirmed that the term "misleading" is wider than "false" or "incorrect". It noted that the deliberate omission of relevant information could make an otherwise

factually correct statement misleading. The omissions in this case were scandalous. The cynical collusion between the Minister and the member for Nicklin means that they are both implicated in this disgraceful affair and equally culpable.

Key omissions included the information that—

there was not the slightest whiff of impropriety in the thousands of documents on this acquisition dating back to the 1980s;

the "without prejudice" settlement offer of \$650,000 was only a fraction of the sum sought by the landowner and significantly less than relocation costs;

the "in principle" agreement was still subject to a number of conditions, including funding approval which by then could only be granted by the incoming Beattie Government;

the five-page Executive Council Minute detailing the basis for that approval in August was formally noted by the Minister's Director-General, Deputy Director-General, five Assistant Directors-General and the Director for Strategic Planning and Policy without any apparent concern or adverse comment;

the legal Deed of Settlement was drafted in the name of Rodney Jon Welford—the current Minister for Natural Resources in the Beattie Labor Government;

following the unexpected backlash against the announcement, the member for Nicklin attended a Country Cabinet meeting in Nambour at which the issue was discussed almost two weeks before he raised it in the House;

the local District Director for Education Queensland also gave the member for Nicklin a personal briefing on the issue approximately one week before he raised it in the House;

a departmental briefing note dated 16 September—two days before the issue was raised in the House—recommended settlement and advised the Minister for Natural Resources that the proposed payment of \$650,000 was considered fair and reasonable; and

on 17 September—just one day before the issue was raised in the House—the Department of Natural Resources wrote to Education Queensland advising that there were no known circumstances which might call the transaction into question.

These omissions concealed the fact that both the Minister for Education and the member for Nicklin knew or should have known that there was absolutely no basis whatsoever to imply impropriety by the former coalition Government. Yet that is exactly what they did. They also failed to correct an apparent mistake in Hansard which gives the distinct impression that the \$650,000 compensation was paid on 24 June when, in fact, it was not paid until some considerable time after this issue was raised in the House.

This very convenient mistake, which should have been corrected by the Minister at the time, compounded his offence by lending weight to the scurrilous inference that a dodgy deal was rushed through in the final days of the former Government. Our researchers have also been combing through thousands of documents for months and have advised me that they have yet to find in them a single mention of Ministers in the former Borbidge coalition Government, although there are numerous references to Labor Ministers, both past and present.

In my view, the factual inaccuracies and studious omission of so much critical information in what was essentially a prepared statement by the Minister for Education can only be regarded as a wilful attempt to mislead the House. It also seems that the member for Nicklin was a willing accomplice in this deception and actively colluded with the Minister in seeking to divert attention from their own inept handling of the land acquisition and announcement. In my view, their scurrilous attempt to falsely smear the former coalition Government was a disgraceful abuse of the House.

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